



Eugene City Council

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EUGENE CITY COUNCIL AGENDA

July 16, 2014

12:00 PM CITY COUNCIL WORK SESSION

Harris Hall

125 East 8th Avenue

Eugene, Oregon 97401

Meeting of July 16, 2014;
Her Honor Mayor Kitty Piercy Presiding

Councilors

| | |
|-------------------------|--------------------------|
| George Brown, President | Pat Farr, Vice President |
| Mike Clark | George Poling |
| Chris Pryor | Claire Syrett |
| Betty Taylor | Alan Zelenka |

CITY COUNCIL WORK SESSION

Harris Hall

12:00 p.m. **A. WORK SESSION:
Fossil Fuel Divestment Initiative**

12:45 p.m. **B. WORK SESSION:
Police Auditor/CRB Annual Report**

Mayor: The Eugene City Council will now meet in Executive Session to consult with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. The executive Session is held pursuant to ORS 192.660(2)(h).

Representatives of the news media and designated staff shall be allowed to attend the

executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

**time approximate*

The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or 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.

City Council meetings and work sessions are broadcast live on the City's Web site. In addition to the live broadcasts, an indexed archive of past City Council webcasts is also available. To access past and present meeting webcasts, locate the links at the bottom of the City's main Web page (www.eugene-or.gov).

El Consejo de la Ciudad de Eugene aprecia su interés en estos asuntos de la agenda. El sitio de la reunión tiene acceso para sillas de ruedas. Hay accesorios disponibles para personas con afecciones del oído, o se les puede proveer un interprete avisando con 48 horas de anticipación. También se provee el servicio de interpretes en idioma español avisando con 48 horas de anticipación. Para reservar estos servicios llame a la recepcionista al 541-682-5010. Todas las reuniones del consejo estan gravados en vivo en Metro Television, canal 21 de Comcast y despues en la semana se pasan de nuevo.

For more information, contact the Council Coordinator at 541-682-5010,
or visit us online at www.eugene-or.gov

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Fossil Fuel Divestment Initiative

Meeting Date: July 16, 2014
 Department: Central Services
www.eugene-or.gov

Agenda Item Number: A
 Staff Contact: Twylla Miller
 Contact Telephone Number: 541-682-8417

ISSUE STATEMENT

This work session provides an opportunity for the City Council to review and discuss potential fossil fuel divestment policy actions.

BACKGROUND

At the January 13, 2014, work session on Fossil Fuel Divestment, the City Council received information on a divestment initiative that encourages local governments to immediately freeze any new investment in the top 200 fossil fuel companies and to divest from direct ownership and any commingled funds that include fossil fuel public equities and corporate bonds within five years in general, retirement, utility and pension funds as well as the City's exposure to fossil fuel investments in those areas. At the end of the work session, the City Council directed staff to bring back a policy on fossil fuel divestment for further discussion.

Direct City Investments

Under Oregon Revised Statutes the City may not invest in equities (common stock) of any company but may invest in corporate bonds or commercial paper of highly rated corporations for a period of up to 18 months. Although public entities are allowed under state law to purchase bonds of fossil fuel companies (e.g. Shell, BP, Chevron), City staff have not purchased those securities in recent years. Usually, the yields of those securities are at or below similarly rated corporate bonds and for this reason as well as industry uncertainty due to events over the past few years such as the BP oil spill, staff has avoided purchasing fossil fuel investments. While this is an informal practice, it can be formalized in the investment policy by adding a provision prohibiting direct investments in the top 200 fossil fuel companies as listed on the Carbon Tracker List. Should the City Council approve the attached proposed resolution, the City Manager intends to add such a provision to the City's Investment Policy by Administrative Order.

Indirect City Investments

The City is indirectly invested in fossil fuel investments through participation in the Local Government Investment Pool (LGIP), a portion of the Oregon Short Term Fund. At the end of April 2014, the Oregon Short Term Fund of \$13.8 billion included holdings in the top 200 fossil fuel companies of \$337 million or 2.4% of the total portfolio.

Jurisdictions in California and Wisconsin have passed resolutions prohibiting investment in co-mingled assets that include fossil fuel companies; however, Local Government Investment Pools in those states either do not currently invest in corporate debt or do not hold fossil fuel investments, so those jurisdictions are able to retain local funds in that state-managed resource without being exposed to fossil fuel investments.

City staff does not advise removing City funds from the Oregon LGIP. The City currently holds \$45 million in the LGIP at a yield of 0.54%. To achieve the same yield in an alternative investment staff would have to purchase a security that matures in over two years. In addition to the rate of return, the state pool offers safety, liquidity, and diversification, all factors that would be reduced if City funds were pulled from the pool.

Should the City Council desire to take action in this area, it can urge the Oregon Short Term Fund Board to divest holdings in the Oregon Short Term Fund (LGIP) from the top 200 fossil fuel companies as listed on the Carbon Tracker list over the next five years. Upon passage of the proposed resolution, the Mayor and Council President would send a copy the resolution along with a cover letter to the Oregon Short term Fund Board urging them to take action. The Oregon Short Term Fund Board was established to advise the Oregon Investment Council and Oregon State Treasury Investment staff in management of the Oregon Short Term Fund.

Investments for Beneficiaries

Fiduciary Duty: A key issue around the ability to divest investments for beneficiaries lies in the concept of fiduciary responsibility or duty. The fiduciary duty of an entity such as the Oregon Public Employees Retirement System (PERS) Board or the City of Eugene's Deferred Compensation Committee is to act solely in the best interests of the plan participants and their beneficiaries with the exclusive purpose of providing benefits to them. Under that lens, only when the economic returns of investment alternatives are equal can alternate criteria be applied such as avoidance of fossil fuel investments. Divestment advocates counter that this is a short-term view and that by not divesting now, retirement boards aren't meeting their fiduciary duty because over the long term fossil fuel investments will lose value as the world transitions away from these traditional energy sources.

Long Term Impact: While it isn't feasible for City staff to analyze the long-term impact of divestment on pension or deferred compensation funds, divestment advocates cite analysis of endowment funds where the impact on return is assessed. While the analysis does show that the screening out of fossil fuel funds negatively affects a portfolio's risk and return, the results show that the impact is far less than previously thought; in some cases statistically irrelevant. One study, called "Do the Math: Building a Carbon Free Portfolio", can be found, along with additional resources, at the Mayor's Innovation Project divestment resource page:

<http://www.mayorsinnovation.org/custom.asp?id=329>

PERS: The Public Employees Retirement System (PERS) Board administers the retirement system and the investment authority over system funds resides with the Oregon Investment Council. Funds are invested on behalf of City employees and retirees under the fiduciary duty described above.

While 14 of the 25 jurisdictions that have taken the pledge passed resolutions urging their local or state retirement boards to divest pension funds from fossil fuel companies within the next five years, only New London, CT (population 28,000) which manages its own pension fund has committed to divest holdings from fossil fuel companies. To date, none of the other boards have chosen to divest.

In San Francisco, the Board of Supervisors passed a resolution urging the Retirement Board to cease new investments in fossil fuel companies and to divest the existing portfolio over the next five years; however, the original resolution was amended to include the following language: "...the Board of Supervisors understands that in no way shall this Resolution or the policies articulated hereunder supersede the Retirement Board's fiduciary responsibilities to its members...". None of the Retirement Board members voted to divest but did vote to gather more information, including an analysis of current proxy voting policies in relation to climate change citing the desire to engage with companies to try and effect business changes. These potential actions are similar to the actions taken by Oregon State Treasurer Wheeler as described in his June 11, 2013 letter to Portland Mayor Hales (Attachment B).

Treasurer Wheeler also convened a summit in June 2014 to discuss the value, opportunities and obstacles of investing in renewable energy bringing together leaders in technology, public policy and finance as well as writing an opinion piece in the *Oregonian* stating that state fossil fuel divestment would be unproductive. Information on these items as well as a counter opinion piece to Treasurer Wheeler's view is included as Attachment C.

If the City Council desires to take action in this area, it could urge the PERS Board to divest holdings in the PERS Fund from the top 200 fossil fuel companies over the next five years. Upon passage of the proposed resolution, the Mayor and Council President would send a copy the resolution along with a cover letter to the chair of the PERS Board urging it to advise the Oregon Investment Council to take such action.

Deferred Compensation: A deferred compensation committee monitors and selects fund choices on behalf of plan beneficiaries and is bound by the fiduciary duty described above. Plan beneficiaries direct their own investments within those plan alternatives.

Seattle is the only jurisdiction that is known to have taken action in regard to deferred compensation funds. Former Mayor Mike McGinn wrote to the City of Seattle Deferred Compensation Committee asking them to divest deferred compensation funds from fossil fuel companies.

Seattle's Deferred Compensation Committee worked with their plan consultant to evaluate the request and ultimately did not amend their plan to exclude fossil fuel companies due to fiduciary responsibility issues.

They did, however, draft an investment policy to provide a framework to consider future fossil fuel-free investment choices while still meeting their fiduciary responsibilities. Essentially, when an investment meets the goal of being fossil fuel-free it will be given priority if the investment meets the other goals of the plan and if the resulting return on investment and related risks are comparable to other available investments in the same category. Investments will not be selected, rejected or divested from based solely on the geopolitical/social issue.

Eugene's Deferred Compensation Committee is made up of represented and non-represented staff from across the organization including an Executive Manager, the Finance Director and the Risk Services Director. This group meets quarterly with the plan consultant to monitor the performance of the fund choices available to plan participants and discuss related topics. The Deferred Compensation Plan Document that governs the work of this committee is approved by the City Manager.

Should the City Council approve the attached proposed resolution, the City Manager intends to direct the Deferred Compensation Committee to work with the plan consultant to analyze fossil fuel divestment in relation to deferred compensation funds and, if applicable, to develop a policy guiding fossil fuel-free investment criteria.

Legislation

This past year, two states (Vermont and Massachusetts) considered legislation requiring pension funds to divest from fossil fuel holdings. The Vermont bill did not gain traction but as of July 7, the Massachusetts bill had been recommitted to the Committee of Public Service in the Senate with the legislative session ending 7/31/2014. Massachusetts Bill S1225 calls for divestment over a four-year period with no fossil fuel holdings within the pension fund by year five for state pension funds as well as local retirement system funds under control of the Pension Board.

Should the City Council desire to take action in this area, it could to urge the Oregon State Legislature to enact legislation requiring divestment of statewide retirement funds (PERS) from fossil fuel companies and precluding such investments in the future. Upon passage of the proposed resolution, the Mayor and Council President would send a copy the resolution along with a cover letter to the elected officials urging them to take action.

RELATED CITY POLICIES

Financial Management Goals and Policies: Policy E.3 (Investments)

When making investments, the City will follow State law and local investment guidelines, and shall abide by the following criteria in priority order:

- a. Preservation of capital
- b. Maintenance of a liquid position
- c. Maximum yield

Sustainable Development

A community that meets its present environmental, economic and social needs without compromising the ability of future generations to meet their own needs.

Internal Climate Action Plan

While the ICAP does not address investments in fossil fuels specifically, it contains a stated goal to be carbon neutral by 2020 – a goal consistent with fossil fuel divestment.

Community Climate and Energy Action Plan

While it does not address investments in fossil fuels specifically, the CEAP contains a state goal to *Identify strategies that will help the community adapt to (climate change and) increasing fossil fuel prices.*

SUGGESTED MOTION

If the Council chooses to adopt the resolution, the suggested motion is as follows: “I move to adopt Resolution 5109 in support of fossil fuel divestment.”

ATTACHMENTS

- A. Proposed Resolution
- B. Letter from State Treasurer Wheeler, dated June 11, 2013
- C. Press release on climate change panel, Wheeler Opinion Piece, and 350 Oregon Opinion Piece

FOR MORE INFORMATION

Staff Contact: Twylla Miller
Telephone: 541-682-8417
Staff E-Mail: twylla.j.miller@ci.eugene.or.us

ATTACHMENT A

RESOLUTION NO. _____

A RESOLUTION IN SUPPORT OF FOSSIL FUEL DIVESTMENT.

The City Council of the City of Eugene finds that:

A. The climate crisis is a serious threat to current and future generations here in Eugene and around the world.

B. The Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report found that global warming is already causing costly disruption of human and natural systems throughout the world including the melting of Arctic ice, the ocean's rise in acidity, flooding and drought.

C. Almost every government in the world has agreed through the 2009 Copenhagen Accord that any warming above a 2⁰C (3.6⁰F) rise would be unsafe, and that humans can only pour about 565 more gigatons of carbon dioxide into the atmosphere to maintain this limit.

D. For the purposes of this resolution, a "fossil fuel company" shall be defined as any of the two hundred publicly-traded companies with the largest coal, oil and gas reserves as measured by the gigatons of carbon dioxide that would be emitted if those reserves were extracted and burned, as listed in the Carbon Tracker Initiative's "Unburnable Carbon" report.

E. In its "Unburnable Carbon" report, the Carbon Tracker Initiative found that fossil fuel companies possess proven fossil fuel reserves that would release approximately 2,795 gigatons of CO₂ if they are burned, which is five times the amount that can be released without exceeding 2⁰C of warming.

F. The City of Eugene has a responsibility to protect the lives and livelihoods of its inhabitants from the threat of climate change.

G. The City of Eugene adopted Resolution No. 5064 in support of reducing greenhouse gas pollution under the Clean Air Act.

H. The City of Eugene is considering an Ordinance on Climate Recovery.

I. The City of Eugene believes that its investments should support a future where all citizens can live healthy lives without the negative impacts of a warming environment.

J. The City of Eugene does not now directly invest in any fossil fuel companies.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a
Municipal Corporation of the State of Oregon, as follows:**

Section 1. It is the policy of the City of Eugene not to directly invest in fossil fuel companies.

Section 2. The Oregon Short Term Fund Board and the Oregon Investment Council should ensure that none of its directly held or commingled assets include holdings in fossil fuel public equities and corporate bonds within 5 years as determined by the Carbon Tracker list.

Section 3. The PERS Board and the Oregon Investment Council should ensure that none of its directly held or commingled assets include holdings in fossil fuel public equities and corporate bonds within 5 years as determined by the Carbon Tracker list.

Section 4. The City shall send a copy of this resolution, along with a cover letter signed by the Mayor and Council, to the Oregon Short Term Fund Board and PERS Board urging them to divest their holdings from fossil fuel companies over a period of 5 years.

Section 5. The State Legislature should enact state legislation requiring divestment of statewide retirement funds (PERS) from fossil fuel companies and precluding such investments in the future. The City shall send this resolution and a letter of support for future divestment legislation to elected officials including Governor Kitzhaber, Senator Beyer, Senator Edwards, Senator Prozanski, Representative Barnhart, Representative Holvey, Representative Hoyle, Representative Lively, Representative Nathanson and State Treasurer Ted Wheeler.

Section 6. This Resolution is effective immediately upon its passage by the City Council.

The foregoing Resolution adopted on the __ day of July, 2014.

City Recorder

TED WHEELER
STATE TREASURER



PHONE 503-378-4329
FAX 503-373-7051

STATE OF OREGON
OREGON STATE TREASURY
159 STATE CAPITOL, 900 COURT ST NE
SALEM, OREGON 97301-4043

June 11, 2013

Honorable Charlie Hales
Portland City Hall
1221 SW 4th Ave # 110
Portland, OR 97204

Dear Mr. Hales,

This is in response to comments you made at a recent event calling on the State of Oregon to divest from fossil fuel companies.

Oregon has the top-ranked public pension portfolio above \$1 billion in the United States because of our smart, disciplined approach to investing. This success benefits our schools, communities, taxpayers and public employees (who are beneficiaries in the PERS fund managed by the Oregon Investment Council and staffed by Treasury). As State Treasurer, my primary focus is on maintaining that success for Oregonians. That said, climate change is an issue we take very seriously in the Treasury and I would like to outline for you the leadership we have exercised over the past few years to accelerate the transition towards renewable energy sources.

To start, let me state clearly that I firmly agree the vision is the correct one: Our world absolutely must transition away from fossil fuels towards more climate friendly renewable energy. When I was Multnomah County Chair, my colleagues and I jointly committed with the Portland City Council to the 2009 Climate Action Plan, a national model for carbon emissions reduction. Reducing our demand for fossil fuels is the hardest - and most important - thing we can do to reduce carbon emissions as it the foundation for changing the market.

Naturally, there is also discussion about the benefits of divestment from oil and gas companies. This is an understandable response to policy gridlock in Washington D.C. on regulatory efforts to price the impact of carbon, and I share the long-term goal to make the world a safer, cleaner and more sustainable place. However, like most complex issues, some detail is required to understand Oregon's portfolio and our role in this shift.

The Oregon Investment Council manages an \$80 billion global portfolio. Energy represents a significant segment of our investments due to the importance of energy in the global economy. Our portfolio includes, in part, index funds (like the S&P 500 which includes energy), private equity (private partnership holdings in energy) and renewable energy. As you know, most of these investments are illiquid and cannot be immediately sold (but eventually will be to earn returns) or they are a small portion of much larger passive index funds that include a whole host of other industry sectors (including renewable energy). In short, as the world transitions from fossil fuels, investments will transition as well, but a globally diversified portfolio like ours will necessarily hold fossil fuels in the meantime.

But that doesn't mean we only will sit passively and wait for the market transition to renewable energy. As a responsible investor, the Oregon Treasury has for years used our clout to advocate for better disclosure of climate risk and to hold energy companies accountable when their practices impair investment value. Oregon was one of the first institutional investors in a clean energy private equity fund. We were a co-convenor of two United Nations investor summits on climate risk in 2010 and 2012. Former Treasurer Randall Edwards was a founding member of the Investor Network on Climate Risk, an organization that works to understand the impact of our investments in an attempt to shift the market.

This work continues under my administration. I joined this week with businesses across the country, including Intel Corp., Nike, and Oregon ski areas, to help focus attention on the imperative to increase demand for less-polluting energy.

There are other things we can do to help highlight the logic of renewable energy investments. For example, as shareholders of energy companies, we have the opportunity to exercise our proxy powers to make practical change from within. After the catastrophic oil spill in the gulf, we pooled our strength with other institutional investors to sue British Petroleum and recently helped create momentum to replace board members from an irresponsible mining company.

I recently invited a renewably energy-focused investment firm to Oregon to discuss its new fund. In fact, we also introduced this firm to both leaders at the Portland Public Schools and the City of Portland to talk about how they could partner to invest in local energy efficiency projects. My team is aggressively seeking similar opportunities.

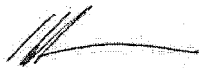
Finally, as a matter of legal understanding, you should know that the Oregon Investment Council is held to the standard of fiduciary duty to beneficiaries of the assets under management. Selling off our energy holdings would undermine the portfolio diversity that has served every Oregonian well -- and would potentially expose the state to lawsuits.

On the other hand, it is responsible to choose a more deliberate, sustainable, long-term approach. We will continue to look for new profitable opportunities in alternative energy, and as global demand evolves, there will be more and more of them. Oregon will help to lead the way.

Through our continued advocacy and wise investment decisions, we will continue to choose the responsible path.

I trust you find this background helpful. As always, feel free to call me anytime.

Sincerely,



Ted Wheeler
State Treasurer

cc: Gail Shibley, Chief of Staff
Josh Alpert, Policy Director

Treasurer Ted Wheeler

State Treasurer

FOR IMMEDIATE RELEASE

06/05/2014

Treasurer Ted Wheeler Brings Together Thought Leaders to Address Climate Change

Panelists from Google, Microsoft, and U.S. Dept. of Energy, Among Others, Discuss How Investing in Renewables Brings Value to Public Pension Fund Portfolios

PORTLAND, OR – At a summit hosted by Oregon State Treasurer Ted Wheeler, Pegasus Capital Advisors and R20-Regions of Climate Action, thought leaders in technology, public policy and finance converged on Portland State University yesterday to discuss the value, opportunities and obstacles of investing in renewable energy.

"I brought together these remarkable individuals to explore profitable and responsible investment options in renewables," said Ted Wheeler, Oregon State Treasurer. "I left more optimistic than ever that there are opportunities to invest in renewables that meet the high standards we have for all of our investments."

At the summit, titled "Public Pension Fund Investments & Investing in Renewables: Opportunities and Challenges," Treasurer Wheeler made clear that there is more work to be done to better define the asset class of these investments and to set clear guidelines around acceptable risk and expected returns. He expects that work to begin immediately.

The Oregon State Treasury protects public assets and saves Oregonians money through its investment, banking, and debt management functions. State investment policies are overseen by the Oregon Investment Council. The State Treasury also promotes public outreach and education to help Oregonians learn strategies to save money, invest for college and make smart financial choices.

Item A.

Treasurer Ted Wheeler

State Treasurer

FOR IMMEDIATE RELEASE

06/04/2014

Ted Wheeler in the Oregonian: For a large public pension fund like Oregon's, divestment from fossil fuels is not the right strategy.

SALEM - The world's attention is increasingly focused on climate change. It threatens our economy, our environment and ultimately our families' health and livelihoods. For coastal states like Oregon, the stakes are even higher.

Stanford University recently announced that it will divest from certain coal company stocks. This underscores the growing debate about the merits of divestment as a means of reducing pollution. It also has helped to raise a pivotal question here: What prudent steps can be taken affecting Oregon's public trust funds?

The answer: Oregon is already using its investment clout to lead, and looking to reinvest, in ways that can make a real difference.

I wholeheartedly agree with the ultimate goals of leaders who organized this effort and others around the country. We must transition away from the dirtiest fossil fuels toward renewable sources of energy for the sake of our economy and our planet.

As State Treasurer, I am a fiduciary of an \$88 billion portfolio. Oregon ranks among the top performing global investors thanks to our innovation and discipline. Our largest fund, the Oregon Public Employees Retirement Fund (OPERF), returned 15.6 percent in 2013.

The financial health of OPERF and our other investments matter to every Oregonian. They financially benefit our taxpayers, schools, communities, and retired public employees today and for decades to come. As such, we manage for the long-term.

Oregon's current holdings reflect the central role that energy plays – and will continue to play - in virtually every facet of our lives... from housing, to transportation, to agriculture, and even to making available technologies that printed this newspaper and allow you to read it online.

We are already exercising strong leadership as an active shareholder to press companies to make smarter and cleaner choices. We have an influential voice and we use it. We also actively support regulations to boost transparency of carbon risk that will help the renewable energy market evolve.

We can also leverage our investments to accelerate the transition toward cleaner sources of energy. In combination with other investors, we can help build the foundations of what is still an emerging clean energy sector by actively encouraging the development of sound investment opportunities in transitional and renewable energy companies.

On May 28, the Oregon Investment Council convened a panel of national experts to outline ways that we can potentially integrate environmental, sustainability and governance standards into every investment we make. I am personally committed to this kind of leadership.

I recently co-convened a United Nations summit which brought together some of the nation's top institutional investors to discuss ways we can work together to responsibly invest public funds into wind, solar and geothermal energy. I also signed the Climate Declaration, along with Oregon employers like Nike, Intel and the Trailblazers, to highlight the imperative to reduce emissions.

On June 5, I will host a summit in Portland that will focus on the opportunities and challenges for institutional investors in making profitable investments in clean energy.

These are just some of the things Oregon can accomplish as an actively engaged investor.

For a large public pension fund like Oregon's, however, divestment is not the right strategy.

Divestment from fossil fuel stocks will not achieve the tangible results we want. Academic studies demonstrate that divestment actions, on their own, have no measurable effect on the value of targeted companies and do not change corporate behavior.

The main problem with divestment is that when one party sells a stock in the open market, another party buys it. There is no guarantee that the new owners will be advocates for either responsible management strategies, or for reduced carbon emissions. The companies themselves are not impacted – top executives likely won't even know that shares were traded.

All of us need to take action to reduce emissions, so I applaud university endowments, family foundations and individual investors for stepping up and doing what they think is right.

The most effective role for the Oregon Treasury is to continue to demand responsible business practices and use our influence to push for the development of profitable investment opportunities in the clean energy sector.

It's good for Oregon. And it's good for the planet.



Divestment is about stigmatizing fossil fuel companies: Guest opinion

pump.JPG

This photo taken Feb. 7, 2012 shows the oil fields of the Uintah Basin, southeast of Vernal, Utah. (AP Photo/The Salt Lake Tribune)

Guest Columnist By **Guest Columnist**

Follow on Twitter

on June 12, 2014 at 11:52 AM, updated June 12, 2014 at 1:19 PM

By Adriana Voss-Andreae and Sandy Polishuk

In a recent guest column titled "**State fossil-fuel disinvestment would be unproductive: Guest Opinion,**" Oregon Treasurer Ted Wheeler argues that "divestment is not the right strategy," while stating that he "wholeheartedly agree[s]" with the ultimate goals of those of us who are organizing this effort around the country in recognizing that climate change "threatens our economy, our families' health and livelihoods [and] ... our planet." Wheeler's arguments, often recycled by divestment opponents, are deeply flawed and miss the point entirely on what the divestment movement is about. We will examine Wheeler's arguments, explain why they are flawed and make the case that divestment is a powerful tactic in our fight for a livable world.

To grasp the seriousness of the climate crisis, we need to "do the math" as Bill McKibben, founder of 350.org, puts it: It is scientific consensus that if we emit more than about 600 gigatons of carbon dioxide we will heat up our planet above the threshold of 2°C — more than that risks catastrophe for life on earth, as virtually all governments on earth agree. The problem? Burning the fuel that these companies have in their known reserves would result in emitting over five times that amount. Fossil fuel companies' stock value is based on their expectation to burn these reserves.

Wheeler argues that rather than divesting, the "most effective role for the Oregon Treasury is to continue to demand responsible business practices" of the fossil fuel companies. This argument is based on the assumption that one can change the behavior of the industry to reduce carbon emissions. Shareholder action can work when the goal is to change small aspects of a company's overall operations.

However, in the case of fossil fuel companies, the goal is to reject a basic business model that relies on the extraction and burning of much more carbon than life on this planet can handle. There is no evidence that suggests that the largest companies, which own the vast majority of fossil fuel reserves, have any interest or ability to fundamentally shift their business strategy, nor of any evidence that our state, through shareholder activism, has the power to affect the fossil fuel companies' reckless behavior.

Wheeler's argument that "divestment has no measurable effect on the value of companies" is naïve and misunderstands the point of divestment. Divestment is not about trying to have a direct financial impact, which would be small even if every university and pension fund in the world was to divest. It's about building a movement to undermine the political power of the fossil fuel industry through stigmatization. History has shown that divestment campaigns have been extraordinarily successful at impacting the passage of significant legislation, which is why Nobel Peace Prize recipient Desmond Tutu, a leader in South Africa's successful divestment movement against apartheid, has been leading the call for a "apartheid-style" boycott of the fossil fuel industry.

Contrary to Wheeler's claim, "academic studies" have, in fact, clearly shown the effectiveness of divestment campaigns. One such study from the University of Oxford, backed by large financial firms like HSBC and Standard & Poor's, states that "the outcome of the stigmatization process, which the fossil fuel divestment campaign has now triggered, poses the most far-reaching threat to fossil fuel companies and the vast energy value chain." Many major investors have already pulled their funds from coal stocks, and the fossil fuel divestment campaign is growing faster than any previous divestment movement in history, giving it the "the potential to shift the political ground beneath the fossil-fuel lobby's feet."

When, finally, the political will is mustered to listen to our scientists and do what needs to be done, 80 percent of the fossil fuel resources will become unburnable, with their financial value dramatically reduced. Therefore, if Wheeler takes his fiduciary responsibility of managing our state's long-term financial health seriously, he will have to consider that fossil fuels are becoming increasingly risky investments. Investors are beginning to think that these assets may never be monetized and, indeed, may become liabilities. They are realizing that business-as-usual cannot continue. From big banks to prominent insurance companies to the International Energy Agency, an increasing number of global groups and investment firms have been giving clear warning signs about continuing to invest in fossil fuels. Oregon should lead by example and divest from fossil fuel companies while reinvesting in a livable future for our children, grandchildren and life on earth.

Adriana Voss-Andreae, M.D., Ph.D., and Sandy Polishuk write for 350 Oregon, a local affiliate of 350.org, an international grassroots campaign dedicated to solving the climate crisis.

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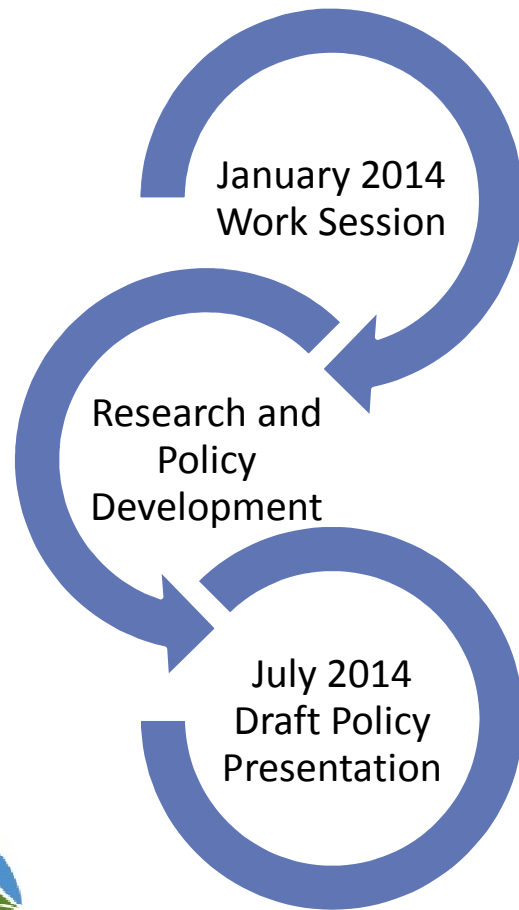
Fossil Fuel Divestment

City Council Work Session

July 16, 2014



Divestment Policy Process



Motion

Move to bring to Council for approval a fossil fuel divestment policy and encourage the PERS Board and Deferred Compensation Committee to divest their portfolios of fossil fuel investment over time and urge the Oregon State Treasurer to do the same. The City should also lobby the State Legislature to specifically allow divestment in fossil fuel investments by State financial institutions



Investment Objectives & Restrictions

Safety

Liquidity

Yield

US Treasury

Federal Agencies

LGIP

Bank Accounts

Municipal Bonds

Corporate Indebtedness

-19-



Policy Action Summary

City Council

- Policy Prohibiting Direct Investments
- Indirect Investments – Oregon Short Term Fund Board
- Retirement Funds - PERS
- State Legislation – Elected Officials

City Manager

- Direct Investments – Investment Policy
- Deferred Compensation - Deferred Compensation Committee



Direct Investments

Current Practice

The City Currently does not invest in fossil fuel companies

Potential Policy Action

Adopt a policy prohibiting direct investment in fossil fuel companies

Next Steps

The City Manager will amend the investment policy prohibiting direct investment in fossil fuel companies



Indirect Investments

Current Practice

Indirectly exposed through participation in the Local Government Investment Pool

Potential Policy Action

Urge the PERS Board and Oregon Investment Council to divest holding in fossil fuel companies over the next five years

Next Steps

Send the resolution with a cover letter to the chair of the PERS Board



Retirement Funds

Current Practice

Funds invested on behalf of City employees and retirees through PERS are invested, in part, in fossil fuel companies

Potential Policy Action

Urge the PERS Board and Oregon Investment Council to divest holding in fossil fuel companies over the next five years

Next Steps

Send the resolution with a cover letter to the chair of the PERS Board



Deferred Compensation Funds

Current Practice

Fund choices available to plan beneficiaries include investments in fossil fuel companies

Potential Policy Action

The Deferred Compensation Committee could analyze fossil fuel divestment and, if applicable, develop a policy guiding fossil fuel-free investment criteria

Next Steps

The City Manager will direct the Deferred Compensation Committee to work with the plan consultant to analyze the plan and develop investment criteria, if applicable.



State Legislation

Current Practice

To date, legislation in Oregon has not been introduced requiring divestment of statewide retirement funds from fossil fuel companies

Potential Policy Action

Urge State elected officials to enact state legislation requiring divestment of statewide retirement funds (PERS) from fossil fuel companies

Next Steps

Send the resolution with a cover letter to elected officials



Questions?



EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Work Session: Report to City Council from Police Auditor

Meeting Date: July 16, 2014
Department: Office of the Police Auditor
www.eugene-or.gov

Agenda Item Number: B
Staff Contact: Mark Gissiner
Contact Telephone Number: 541-682-5016

ISSUE STATEMENT

The Chair of the Civilian Review Board and the Police Auditor are appearing before the City Council to discuss the 2013 Annual Reports of the Civilian Review Board and the Police Auditor's Office, respectively.

BACKGROUND

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

RELATED CITY POLICIES

Eugene Charter and Police Auditor ordinances.

COUNCIL OPTIONS

Offer comments and questions.

CITY MANAGER'S RECOMMENDATION

Not applicable.

ATTACHMENTS

- A. 2013 Civilian Review Board Annual Report
- B. 2013 Police Auditor Annual Report
- C. Selected PowerPoint Slides from Annual Reports

FOR MORE INFORMATION

Staff Contact: Mark Gissiner
Telephone: 541-682-5005

Item B.

Staff E-Mail: mark.a.gissiner@ci.eugene.or.us

CITY OF EUGENE

Eugene Civilian Review Board Annual Report

2013



**EUGENE CIVILIAN REVIEW BOARD
2013 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.

During case reviews, Board members discuss, deliberate and analyze the Internal Affairs investigation, Auditor’s monitoring of the Eugene Police Department’s (EPD) internal administrative investigations and have the opportunity to discuss, agree or disagree on the supervisor’s recommended adjudication, the chain of command’s recommended adjudication, the Auditor’s recommended adjudication and the Chief’s final adjudication. The review of the investigations may include, but are not limited to: reviewing investigative files, listening to digital recordings of interviews and live audio from the scene of an incident, and observing videos related to complaints. We decide whether we agree with the classification of the complaint and have the opportunity to review policy and service complaints classified as something other than an allegation of misconduct. Service Complaints are complaints about: “...Police employee performance or demeanor, customer service and/or level of police service” [ECC 2.452]. Generally, service complaints are referred to an involved officer’s supervisor who reviews the issue and follows up with both the complainant and the officer. The supervisor prepares a memo detailing their review of the complaint and contact with the involved parties. The OPA reviews the materials for completeness and thoroughness, and then contacts the complainant for a follow-up and a survey. The CRB’s reviews of service complaint files do not contain the same level of detail found in the investigative files related to allegations of misconduct. Nonetheless, we try to make a practice of reviewing service and policy complaints during at least one meeting per year. Further, each month we receive information regarding all complaints received by the OPA (including inquiries, service complaints, and policy complaints). Questions regarding the classifications of such complaints are posed to the Auditor during board meetings.

Our meetings are open to the public and provide an opportunity to learn about the complaint process. While we are committed to maintaining the confidentiality of the involved parties, discussing complaints in public allows the community to learn about the complaint intakes, classifications, investigations and determinations as they are discussed openly and critically.

In addition to case reviews, the CRB engages in continuous learning associated with police practices, civil rights, constitutional based policing practices, and interactions with vulnerable communities. 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.

Finally, the Board also considers and discusses current policies and practices and whether or not revisions seem appropriate. These policy recommendations are channeled to the Police Commission and the Police Chief through the CRB's appointed representative to the Police Commission. As a result of the CRB's recommendations, a number of policy changes have been implemented by EPD over the years.

Please allow us to express our appreciation to the City Council, the Police Auditor, the Eugene Police Department, and the larger Eugene community for the confidence entrusted in us. All of us on the Board are proud to participate because we believe in the strength and the potential of Eugene.

Thank you for the opportunity to be of service.

Sincerely,

Steve McIntire
Board Chair

Bernadette Conover
Board Vice-Chair

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.

2013 Overview

The CRB is required to meet four times a year. The CRB met nine times in 2013, all public meetings including a joint meeting with the Police Commission and one meeting in which the CRB reviewed the performance of the Auditor's office. The CRB reviewed ten case files involving **allegations** of use of force, constitutional rights violations, courtesy, misconduct, integrity, judgment, abuse of position, and performance. Some cases involved multiple allegations and/or multiple officers.

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.

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, 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 Lieutenant who supervises Internal Affairs 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, and
7. Additional comments and/or concerns.

A brief summary of the 2013 individual case review follows.

FEBRUARY CASE REVIEW—The CRB reviewed a citizen complaint that officers allowed the Reporting Party's ex-husband (father of one of the children) and her ex-husband's boyfriend to enter her apartment and assume custody of her minor children even though she had restraining orders

against him. She also alleged that her ex-husband damaged the apartment and took money and food. She also claimed that the officers used excessive force.

Summary: Officers responded to the Reporting Party's (RP) residence regarding a dispute. Officer A developed probable cause to arrest the male, and eventually developed probable cause to arrest the RP for interfering. Officer A and Officer B arrested RP, handcuffed her, and transported the RP to Officer B's vehicle. Officers A and B stated that the RP resisted going to and getting into the patrol vehicle. The in-car video (ICV) did not show the RP complaining of any injury nor any significant force used to control her. Officer A contacted a Department of Human Services (DHS) caseworker for assistance in placing RP's children, and was advised that it was appropriate to release the children to Child 2's father/ex-husband of complainant. Officer A was unaware of a restraining order or parenting agreement between RP and the father/ex-husband, and the DHS case worker was not aware of a restraining order. The parenting agreement of the restraining order provided full visitation for the father/ex-husband with Child 1 and Child 2, and limited the amount of unsupervised time between father/ex-husband and Child 3 and Child 4. After officers left the scene, the father/ex-husband took keys to RP's apartment and van from a neighbor. The neighbor stated the father/ex-husband returned to the house twice.

The RP called the Police Auditor's office and complained that:

- Officers used excessive force against her.
- Officers should not have released her children to the father/ex-husband.
- Officers should not have allowed the father/ex-husband in her residence.

Allegations:

- **Use of Force (Officer A):** The Supervising Lieutenant, Supervising Captain, Police Auditor, and Chief of Police determined the Use of Force was within policy.
- **Judgment:** Officer A allegedly demonstrated poor judgment when he released the reporting party's minor children to the father/ex-husband, who was restrained from being unsupervised with them. The Police Auditor's office determined that it was reasonable for the officers to contact DHS for advice on releasing the children to the father/ex-husband. DHS advised the officers it was appropriate to release the children to the father/ex-husband. Recommended adjudications: The Supervising Lieutenant, Supervising Captain, Police Auditor and Chief of Police determined the complaint was unfounded. While the decision to allow the ex-husband into the house was not well thought out, it was determined that this decision should not have been an allegation of misconduct. Coaching of the sergeant seemed to be the best approach.

The CRB, after a lengthy discussion, agreed with the recommended and final adjudications. There was a brief discussion about leading questions being asked by Internal Affairs investigators. However, these questions did not affect the adjudication decisions.

MARCH CASE REVIEW—The CRB reviewed an internally generated complaint that an officer used more force than was reasonable to remove a woman from the back of his patrol car, causing injury to her head, and that an officer performed unsatisfactorily when he failed to take appropriate action after being spit on by the arrested person who was handcuffed in the back of a patrol car. This case was reported by a sergeant and an allegation of excessive use of force was opened by the

Auditor. The case was first conducted as a criminal investigation. The District Attorney's office determined that there was insufficient evidence to support a criminal charge.

Summary: Officers responded to the arrested person's residence regarding a dispute. They contacted the arrested woman and conducted a welfare check. Officer A learned of a valid arrest warrant for the arrested person. Officer A placed the arrested person in the back of his patrol car after a search incident to the arrest and a short struggle. The arrested person was verbally abusive toward the officers. The car window was partially opened a few minutes after the arrested person was placed in the car. Officer A walked past the car, and the arrested person spat out the window, with the spit landing on his back. Officer A forcefully removed the arrested person from the patrol car. Her head struck the car frame and the pavement, causing a laceration. Officer A dropped his knee onto the arrested person's back, told her not to do that again, and asked assisting officers for a spit hood. Officer A applied a mask to the arrested person's face. A few minutes later, the arrested person was complaining about needing air to breath; Officer B removed her handcuffs (he and Officer C controlled her arms) and removed her mask. Medics arrived on scene to treat the arrested person; medics rendered aid and transported the arrested person to the hospital. A sergeant who responded to the scene reported the incident to IA.

Allegations: Use of Force – That Officer A used more force than was reasonable to remove the arrested person from the back of his patrol car, causing injury to her head. The allegation was recommended sustained by the chain of command and the Auditor. The Chief sustained the allegation.

Unsatisfactory Performance – That Officer A performed unsatisfactorily when he failed to take appropriate action after being spit on by the arrested person, who was handcuffed in the back of his patrol car. The allegation was recommended sustained by the chain of command and the Auditor. The Chief sustained the allegation.

The CRB expressed some concerns, shared by the Auditor, about the IA interview, in that the investigator asked witness officers whether they thought the force was reasonable under the circumstances. While the reasonable officer perspective is the basis for determining whether force is reasonable, that should be determined by adjudicators, not witness officers in IA interviews.

There was also discussion about the questions asked by the union representative as some felt the union representative was serving as defense counsel for Officer B. One board member asked what the role was for the union representative. Ms. Pitcher stated the union representative was entitled to ask clarifying questions. CRB members asserted that the union representative continued to put forth facts and ask leading questions of Officer B. Ms. Pitcher added that Oregon Revised Statutes (ORS) required that the officer and the union have sufficient information to be able to prepare for the investigation.

One CRB member was bothered by the ability of the officer being able to look at the other reports prior to meeting with the IA investigator, because it may influence his responses. Mr. Gissner stated ORS indicates that an officer was allowed access to discovery of information about an allegation if a sustained allegation could have a negative impact on an officer's compensation.

One CRB member said if the officer truly believed what he did was the reasonable officer standard, he needed to be corrected, because what the officer did was simply not reasonable.

APRIL CASE REVIEW— Constitutional Rights/Discrimination--The CRB reviewed a citizen complaint that Officer A conducted a stop based on the race of the detained individual.

Allegation: Officer A conducted a stop based on his race. Allegation of Constitutional Rights – Discrimination. Adjudication recommendations were unfounded and the Chief determined that the complaint was unfounded.

Summary: The basis of the complaint was that a teenager was detained because a neighbor had reported an unknown person in the neighborhood where burglaries have occurred. The mother of the complainant initiated the complaint because she was concerned her son was being racially profiled, which led to the complaint being based on constitutional rights. The reporting mother was not open to participating in mediation, which may have led her to better understand what had occurred. One CRB member stated the reporting mother did not know the facts, and based on a historical perspective of Eugene, racial profiling occurs and people believe it still occurs. Another CRB member concurred that the reporting party did not have all of the information, including not being aware Officer A had been told by a friend about seeing the reporting son. The officer provided information to them that there had been burglaries in the area. She opined that the reporting son and reporting mother may have reacted differently if they had known the officer was responding to a report from a neighbor. Apparently, neither the reporting mother nor reporting son were aware there had been a call to an officer about a suspicious person. Beyond data lead policing, the officer received information from a resident in the neighborhood about the behavior of this young man. Mr. Gissiner stated bias based cases were very important and very difficult to resolve. The EPD was getting a new records management system which could help the department improve demographically tracking.

Policy and/or Training Considerations: The IA Lt. explained that patrol officers had received specific direction from Chief Pete Kerns regarding pretext stops. Property crimes were a high priority in areas identified as having significant property crimes. Officers were directed to use stops and aggressive policing to reduce the number of property crimes. This was a legal stop on a pedestrian violation. The stop was used as a reason to talk to someone to determine if there was more going on than what there appeared to be. The law clearly allowed officers to tell people they were not free to go when they observed a citable offense such as a pedestrian violation and that they needed to talk to the officer. One CRB member asked what training could prevent a citizen from jumping to conclusions when stopped. She said the officer had been very forthright in stating how offended she had been by the complaint. She asked how the department could communicate to the community that the officers were doing their jobs and not stopping people based on race. One board member opined profiling would be with us forever, either through the fear of being profiled or actually being profiled.

JUNE CASE REVIEW—The CRB reviewed a case involving an alleged improper detention/violation of constitutional rights in personal relationship based situations. This event was the culmination of events that had occurred over a long period of time, which caused enough alarm by the reporting party to finally come forward. The documentation in the file illustrated the impetus for the reporting party to come forward.

Allegations (4): Abuse of Position, Judgment, Unbecoming Conduct, Person Stops and Contacts. The allegations were recommended sustained by the chain of command and the Auditor. The Chief sustained the allegations.

Issues for the CRB: Complaint Intake and Classification: The Auditor indicated that the intake was done through EPD and the classification of the four allegations was a collaboration between Internal Affairs (IA) and the Auditor's office. The administrative investigation was suspended until the criminal investigation was completed. The criminal investigation was not part of the CRB's review this evening. Mr. Gissiner said the adjudication memorandum was background and brought together several incidents.

The CRB concurred with the complaint intake and classification.

The CRB debated the relevance of material in the file, questions asked of the subject of the investigation and the length of some of the answers.

One CRB member said he had an issue with a memorandum in the file that explained one incident, and had provided a lot of background. After reading the adjudication memorandum, he had a different perspective on the incident, which, in another case, may have created some bias on his part. He opined there was enough information in the investigation to enable him to conclude that the reporting party had been badly treated by a police officer, without the need for the information provided in the background memorandum. Another CRB member agreed, that it was not necessary for the background memorandum to be provided to CRB members, although it was on the CD and it was satisfactory for it to be on the CD. Another CRB member said the answers to several questions were long, illogical, and did not address the questions asked of the officer during the investigation. The answers tended to go off in a direction that had nothing to do with the case. He would have preferred more direct responses. Another CRB member said the IA sergeant's technique in letting the officer provide long answers was effective. She opined not getting a yes or no answer often said more than the actual answer did. Another CRB member said the interview technique in this situation was excellent. The technique allowed sufficient information to come out that created inconsistencies in statements throughout the questioning. The interview was also well done in looping back to prior statements and comparing prior statements to more current statements. Mr. Gissiner said the depth of the investigation was overwhelming at times. It was challenging to provide the CRB with sufficient information to make a decision while not overwhelming them with information about other incidents that were not directly related to the case before the CRB.

Relevant Department Policies and Practices: The CRB discussed AIRS, records and warrants checks, which were standard practice for officers when stopping someone. When the officer said he was concerned about the behavior of a subject in the front of the building, it was apparent an AIRS check had not been done. The IA Lt. stated the Police Operations Manual (POM) addressed conducting personal business while on duty. He stated policy 1101.1.18.B stated "You will not to engage in personal business or any other activity which makes you neglectful or inattentive to duty." In response to a question, the IA Lieutenant stated there were audits of department issued phones, but personal phones were not audited.

Policy and/or Training Considerations: In response to a question, the IA sergeant stated the use of personal devices while on duty policy was being reviewed. Mr. Gissiner said supervisors were

responsible for evaluating employee performance and use of time, and it was up to them to recognize and address inappropriate use of personal devices.

A CRB member said he did not expect police officers in Eugene to be perfect, but he 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 line officers were being disciplined for things less severe than what supervising officers were getting away with, which they felt was unfair. While he did 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. He also expected that if the department became aware of misbehavior, it would act in a clear, consistent and forceful fashion, up to and including suspension and dismissal. He was glad to see that happened with this case, and that it does happen to a supervising officer. It was important and essential to maintaining and enhancing public trust in the EPD.

JULY CASE REVIEWS (2)

The CRB reviewed a case involving an allegation of bias policing during a traffic stop in which the passenger was patted down.

Summary: A vehicle with a driver and passenger were stopped by EPD after a federal law enforcement agency called EPD and identified it as a vehicle that left an alleged drug house with a driver who was possibly DUII. An EPD officer stopped the vehicle as the federal agents began to arrive on the parameter. The vehicle was stopped for a broken taillight. The EPD officer determined that the driver was not DUII but did not have insurance. The driver was removed from the vehicle and patted down. The officer indicated he made furtive movements that caused her to have reasonable suspicion that he was armed and dangerous. The passenger was then ordered from the vehicle and patted down by the officer.

Allegations: Constitutional Rights—That Officer A searched the passenger, who was the reporting party (RP) on a traffic stop without reasonable suspicion to do so and; Constitutional Rights—That the duration of the traffic stop was longer than reasonable, in violation of the driver and passenger’s constitutional rights.

Recommended adjudications:

Allegation: Constitutional Rights—Pat Down Search

- Supervising Sergeant: Unfounded
- Supervising Lieutenant: Unfounded.
- Supervising Captain: Within Policy
- Police Auditor: Sustained.
- Chief of Police: Sustained.

Allegation: Constitutional Rights—Duration of Stop; all parties found that the officer acted Within Policy. The Chief’s adjudication decision was Within Policy.

Issues for the CRB:

Complaint Intake and Classification: A CRB member reviewed the Chief's conclusion that a variety of factors may have led to an inadequate police report. She asked if there was policy language related to report writing and inquired if that was a potential allegation.

Mr. Gissiner said the failure to articulate reasonable suspicion that a person was armed and dangerous was not a violation of report writing, but a failure to articulate why the officer suspected that the person was armed and dangerous. The officer's report indicated the reasons for the stop and pat down, which were insufficient, as opposed to leaving out information that would otherwise turn it. The officer validated what she put in the report during her interview. Mr. Gissiner opined that the passenger did nothing to cause a reasonable officer to suspect that the passenger was armed and dangerous.

A CRB member said this was not the first case reviewed by the CRB where federal law enforcement officials were involved and the EPD was held responsible and viewed negatively by the public. This was a significant issue with this complaint. It was frustrating when the EPD officer was doing the best job she could but could not do her job appropriately because another agency was hindering her and putting obstacles before her. The problem with reviewing this case was it was asking the CRB to make a legal analysis of case law, and whose legal analysis was going to prevail. She did not believe that was the CRB's purview. The CRB's role was to determine if officers followed policy and comported with their training. If that did not occur, the CRB was charged with determining what the officers should have done, or if policy was wrong, how should it be corrected.

Mr. Gissiner's position, as he interpreted the case law and validated by EPD counsel, was that when the policy violation occurred was in the pat down. The debate about acquiescing when the federal government gets involved went back to decision making and training. He believed the officer reacted to the presence of external factors, not to the behavior of the individual, and the behavior of the individual was what should determine whether or not a reasonable officer would consider that person armed and dangerous.

Complaint Investigation and Monitoring: A CRB member understood that EPD did not want to get in between federal authorities and their activities. However, the RP was not being investigated by the federal agency. He asked why the administrative investigation could not move forward related to the RP's experience, who was not implicated in the federal agency investigation.

The IA sergeant said he had talked with the agent and the U.S. Attorney. He noted the EPD wanted to move forward but because the federal government had an ongoing investigation, EPD could not legally share information with the complainant until the federal investigation was completed, although he would have preferred to move it forward.

Mr. Gissiner noted nine months, in the police oversight industry, was typically pretty good. From a completion time standpoint, this case was an aberration for his office and IA. In some jurisdictions, five years would pass before the cases were done. The IA Sergeant stated the officer was notified of the complaint when it was made by the RP. However, the investigation was suspended following the direction of the U.S. Attorney's office. He said EPD regularly received requests from federal agencies to conduct stops. When EPD did get involved, it did not receive much information from the

federal agencies, which resulted in EPD writing a generic report, because EPD did not want to jeopardize the federal investigations.

A CRB member disagreed with Mr. Gissiner on his assertion that the RP was just there and Officer A should ignore everything around her. He hoped the officer was aware that there was backup, which was there because there were a lot of unknowns. He believed Officer A was thrown under the bus. The CRB member asserted that a reasonable and prudent officer would think there was a reason for the backup, and would be extra cautious. A CRB member opined that the agents were on a fishing expedition, and he was unsure their allegation of intoxicated driver was legitimate, thus manipulating Officer A to stop the driver for a damaged tail light. He asked if it was EPD's policy to do whatever they were told to do by federal agencies.

The IA Sgt. said it was common for EPD to be contacted by federal authorities to conduct stops on vehicles and to identify vehicle occupants. There was no way for EPD to determine if what the federal agents told EPD officers had actually happened. EPD had developed its own probable cause for vehicle stops based on direction from federal agents. A CRB member noted case law was always changing and it was difficult to train officers in case law under such dynamic circumstances. A CRB member stated although Mr. Gissiner was not present at the stop, Officer A was, and she observed many unmarked vehicles. Officer A was being asked to do a pretext stop by agents. The CRB member said under the circumstances, if he was the officer, he would be afraid and would have searched both the RP and the driver of the car. He added although Officer A had reasonable suspicion that something could happen as she approached the vehicle, it did not mean that she had reasonable suspicion to pull out a gun. He said the officer would do everything possible to protect herself and her partner.

Mr. Gissiner stated the courts determined that there had to be a reasonable suspicion, and a person had to do something to indicate there was reasonable suspicion that the person was armed and dangerous. Another CRB member said this case came to the CRB because the reporting party felt there had been a case of bias or discrimination in handling the case. He said if Officer A had treated this like a felony stop, drawn her gun, pulled people out of the car and handcuffed them with the assistance of other officers, and the RP subsequently found out this was a fishing expedition, there would be a much stronger case of police misconduct than what the CRB was discussing, which was the least intrusive form of search. Ms. Pitcher asserted she may have done the same thing as Officer A did. She added if she was scared, she could understand Officer A's actions. The problem was, it did not meet the legal standard of specific, articulable facts, of reasonable suspicion that RP was armed and dangerous. She averred that the reason the Supreme Court said specific, articulable facts was to prevent things like this where fears drove you to do something that was a violation of constitutional rights.

A CRB member said Officer A knew that driver was under surveillance for drugs, that a duffle bag had been dropped off, and there were cars coming from everywhere, but she did not know who the people in the cars were, or whether they were supporting the drug dealers. Officer A observed the driver of the car making a furtive motion. There was not one isolated event occurring, but a combination of multiple events. He said reasonable suspicion carried a high burden and Officer A should have explained this more thoroughly in her report.

In response to a question, the IA Sgt. said the need to ask for consent varied depending on the circumstances and the situation. He added he generally asked permission before patting a person

down. This was discussed in the field training program, but there were many circumstances and situations which made it difficult to have a policy that provided the correct response for every situation. One board member said the fact that Officer A did not ask for consent was an indication that she did not feel the need to ask consent. She added there were also issues if the officer asked for consent and the person said no. A CRB member stated Officer A felt she had reasonable suspicion for the driver, but he did not believe Officer A had reasonable suspicion to frisk the passenger without a request. Another CRB member said the person was not patted down by Officer A because she was a person of color. He thought Officer A was fearful. Mr. Gissiner said at the end of the day, the issue was, whether the pat down was reasonable under whatever circumstance might have occurred. To separate the allegation as bias based on the RP's skin color was too narrow of a focus. The issue was whether the pat down was reasonable under the circumstances.

Adjudication Recommendations

Constitutional Rights—Duration of Stop: the Chair noted no disagreement that the duration of the stop as within policy.

Constitutional Rights—Pat Down of Passenger

Four CRB members agreed that the allegation was Within Policy, one CRB member- Unfounded, And two CRB members said the allegation should be sustained.

2ND CASE REVIEW

The CRB reviewed a case involving an allegation of bias policing during an investigation at a shopping center.

Summary: Two men of color left a store around midnight and were stopped by two officers who questioned them about stealing items. They denied stealing the items in question. After an involuntary pat down for the items, no items were found. It is uncontroverted that the men were detained and not free to go. The investigation revealed that that the only description given to officers by store personnel was a man in a tan jacket. Because there were few customers at midnight on a foggy night, and one of the men was wearing a tan jacket, the officers stopped the men. Later review of the in store video indicated that a second man (the thief) in a tan jacket left the store and ducked into the recycle area just as the officers arrived.

Allegations: Constitutional Rights/Discrimination—That Office A and Officer B stopped and questioned RP 1 and RP 2 on the basis of their race.

Recommended adjudication: Allegation: Constitutional Rights--Discrimination All parties recommended Unfounded as the adjudication. The Chief adjudicated the case as Unfounded.

Issues for the CRB: CRB members commended the IA Sgt. for an outstanding job. He had talked with both reporting parties and had showed the film to them. The Sgt. went above and beyond what was expected of his position in having a conversation with both of the men, and explaining what happened. They thought it was great that the reporting parties had an opportunity to look at the video. He opined it would be nice if people could be shown the videos more often. He did have a problem with the way the men were approached related to courtesy. The men said the police officer approached them and accused them. Another member asserted the men were accused, but not convicted.

Policy and/or Training Considerations: A CRB member said the officers should have approached the men and explained the issue to them in a courteous manner. He said officers, one of whom was a recruit and one of whom was a Field Training Officer (FTO) were doing their jobs. The lack of courtesy exhibited by the FTO set the stage for the whole encounter. The men became defensive, and felt they were being approached because they were black. Although in the end, it was a misunderstanding, it should have been approached much differently from the start. He noted the men were relatively nice, and the situation could have been much different. Ms. Pitcher said the courtesy issue could be a performance issue that could be discussed with the officer. Mr. Gissiner stated the philosophy to gain community trust was to immediately tell people why they were approached and to give people the opportunity to explain their situation. There was room for improvement with this effort. This issue did not rise to the level of a serious misconduct policy violation, but it did speak of community trust. The IA Sgt. said the officer could have used a better approach. The officers were convinced they had stopped the right person.

Relevant Department Policies and Practices: A CRB member said it was important to slow down and ask for all relevant information, and not base an investigation only on the clothing worn by the people. One other inquiry likely may have kept the officer from going after the two reporting parties.

SEPTEMBER CASE REVIEW (Joint Meeting of CRB and Police Commission)

Allegation: That a sworn EPD employee mishandled property from the police property room without the knowledge or consent of his supervisors.

Summary: An employee of the Property Control office was attempting to locate paperwork and a motorcycle. The detective informed her the motorcycle was being stored at an employee's house and a boat at a storage facility. The property control specialist notified a supervisor about the situation. The supervisor checked the paperwork which stated the boat had been transferred to a vehicle broker, not the city's contracted broker/auction house for later sale held at EPD property control. The supervisor was able to locate emails indicating that the involved employee planned on taking the boat and motorcycle to be detailed and taken to the private dealer in hopes of obtaining a higher price so that the funds would go to the victims' restitution fund, and advised subordinates of same. The supervisor notified the chain of command and informed the Auditor's office of the situation. The supervisor also contacted the officer involved. The employee had been directed to return the property to Property Control immediately. The involved employee said the boat was currently at the city shops garage. The involved employee ultimately brought the motorcycle back to Property Control on the day that he was contacted by a supervisor. He stated that the motorcycle had sustained damage while it was stored there and he was concerned the damage would result in the motorcycle losing value. The employee was dissatisfied with the current storage situation of the motorcycle and the boat, that weather was causing depreciation of the two items. He also expressed dissatisfaction with the contracted broker/auctioneer in that the storage process for the boat and motorcycle caused deterioration. The employee took it upon himself to get them in operating condition so that they would have more value when they were sold at auction. The involved employee charged city time in repairing and transporting the property without knowledge of his supervisors.

Allegations: Misconduct. The adjudication recommendations of the chain of command and the Auditor were to sustain the allegation. The chief sustained the allegation that the officer violated policy.

CRB members agreed with the adjudication and recommendations.

OCTOBER CASE REVIEW - The CRB reviewed a case in which an officer alleged that another officer used a racial slur.

Allegations:

- Conduct—Unbecoming Conduct—That involved Office A while riding in a Eugene patrol car with officer B, referred to a group of African-American males using a racial slur.
- Courtesy—That involved Officer A while riding in a Eugene patrol car with Officer B, referred to a group of African-American males using a racial slur.

Recommended adjudications and the Chief’s final adjudication decisions were all for adjudications of sustained.

Summary: Officer B reported that his patrol car partner, Officer A, directed a racially offensive remark and a gang name about a group of people standing on a street corner. Officer B reported the remark. The subject officer denied making such a comment. During the investigation, a third officer, Officer C, was interviewed regarding an earlier situation in which Officer A used an insensitive remark. Officer A surmised that there were two possible reasons that Officer B would accuse him of using a slur, that Officer A refused Officer B’s request that Officer A drive the patrol vehicle; and that during an arrest, Officer B criticized Officer for damaging the patrol vehicle. The investigation and adjudications were based in large part on the credibility of Officer A and B, respectively.

One Board member was concerned whether there was a history that was not addressed in the hiring process and Officer A needed training. The Internal Affairs and Police Auditor investigations were thorough. He believed Officer A lied to protect himself. He was bothered that some time had passed between the actual event and when Officer B reported it.

Complaint Investigation and Monitoring: One CRB member noted the initial questioning of Officer A was closed, emitting only yes/no answers. As the questioning became more opened ended, the officer provided more information. She would have liked to have a video of Officer A when he was being interviewed which may have provided information related to Officer A’s body language and credibility. One CRB member was curious about the ride along since Officer A had applied to be a Eugene police officer. He noted a racial comment was made during the ride along and reported, but it did not make it into information available for the hiring process. IA concurred the racial comment should have been passed on to the hiring process but it had not been included as a result of a miscommunication. Mr. Gissiner opined the comment may have been caught sooner in a very structured background check during the hiring process. CRB members were concerned about the depth of the hiring process and background investigations.

A CRB member stated it took about two weeks for Officer B to come forward, and it was probably one of the most difficult things he ever did while with the EPD. He suggested Officer A had “gone fishing” to see if Officer B thought like Officer A did. It was important to reinforce EPD’s zero tolerance for that type of conduct. He concluded Officer A should not be a police officer or in a position of power.

The Chair said it was extremely brave of Officer B to come forward. He set an example for others within the department. He stated that additional comments and the adjudication would be deferred to the November 2013 meeting.

NOVEMBER CASE REVIEW—The CRB reviewed a case in which a highly intoxicated person alleged to a sergeant that an officer kissed her when he dropped her off. The IA and Auditor proceeded with several additional allegations regarding the officer’s responsibility for care of the person, using the AIRS system to access personal information, turning off his ICV before the end of the contact, and attempting to establish a personal relationship with the person while still conducting official business after he was notified of a criminal allegation related to his contact with her.

Summary: Officer A gave a courtesy ride to the woman after gaining permission from his sergeant. The sergeant advised him to make sure his ICV was on. She was staying with a relative. Officer A drove her to within sight of the building but did not accompany her to the door to see her enter the building. The person was later found lying adjacent to a street in the early morning hours. Officer A did not ensure that the woman was in the care of a responsible individual prior to leaving. Officer A turned off ICV before terminating his contact with the woman, and then left for a burglary incident. Officer A later sent a text message to the woman, asking if she had made it home safe. Officer A exchanged three later text messages with the woman. The woman alleged to Sergeant D that Officer A kissed her when he dropped her off. Officer A ran the woman’s information through AIRS after he was notified of a criminal allegation related to his contact with her, and allegedly sent a personal text to her while conducting official business with her.

Allegations:

- Conformance to Laws—that Officer A assaulted the woman or made other unwanted physical contact with her. Recommended adjudications by all parties including the Auditor: Unfounded. The Chief determined the allegation to be Unfounded.
- Unsatisfactory Performance—that Officer A dropped off the woman, who was highly intoxicated and had sustained minor injuries in an earlier fight, without ensuring she was home safe and/or with others who could care for her. Recommended adjudications by all parties including the Auditor: Sustained. The Chief determined the allegation to be Sustained.
- Unsatisfactory Performance—that Officer A sent a text message of a personal nature while still engaged in providing police services in an official capacity. Recommended adjudications by all parties including the Auditor: Sustained. The Chief determined the allegation to be Sustained.
- Judgment—that Officer A ran the woman’s information through AIRS after being notified and interviewed regarding a criminal allegation where she was the alleged victim and he was the alleged suspect. Recommended adjudications by all parties including the Auditor: Sustained. The Chief determined the allegation to be Sustained.

- Area Information Records System—that Officer A ran the woman’s name in AIRS without an apparent criminal justice purpose. Recommended adjudications by the Lieutenant: Within Policy. Recommended adjudication by the Captain: Insufficient Evidence. Recommended adjudication by the Auditor: Sustained. Chief’s adjudication decision: Sustained.
- In-Car video/Audio Recording System—that Officer A disengaged the ICV system in violation of policy before the completion of the transport of the woman. Recommended adjudications by all parties including the Auditor: Sustained; except for the Captain who recommended Insufficient Evidence. The Chief determined the allegation to be Sustained.

Issues for CRB Discussion:

Complaint Intake and Classification: Reported to Communications, who contacted Sergeant D. Following Sergeant D’s report, classified as Allegation of Criminal Conduct. Following Oregon State Police (OSP) investigation, investigation as an Allegation of Misconduct. The criminal allegation portioned was dismissed after the OSP investigation.

One Board Member expressed concern that details about the Emergency Medical Transport (EMT) evaluation of the woman’s injuries were not included. She had a head injury exacerbated by intoxication. He wondered whether the officer received information about her physical status. Because of the head injury, she should have been taken to Buckley House. The IA Sergeant said EMT staff could have taken her to the emergency room (ER) regardless of her refusal. However, the information available for adjudication was sufficient to find that she should not have been left alone.

One CRB member expressed appreciation that more than one person in the investigation addressed the officer’s labeling of the woman as a “stupid broad” and “this stupid sh*t.”

A CRB member noted that the Supervising Lieutenant thought access to AIRS was within policy and the Supervising Captain thought there was insufficient evidence. He questioned Officer A’s access necessity because the officer should not have been in contact with her at all. He was concerned the officer was trying to find out where she lived.

Relevant Department Policies and Practices

1101.1.B.5 Conformance to Laws

1101.1.B.9 Unsatisfactory Performance

1101.1.B.17 Judgment

201.4.1.A.1 Automated Records System

301.4.B In-Car Video/Audio Recording System

A CRB member commented that the repetitive use of “Intoxicated Female” in the investigative report became a defining characteristic and inferred guilt. He said he would prefer use of Person A. It was determined that the term “Intoxicated Female” was used in the redacted report as a find/replace function, otherwise her name was used. A CRB member said the fact that he was an experienced police officer made the situation worse. An officer with one year of experience may have thinking and judgment errors, but with an experienced officer that brought into question his motives.

Policy and/or Training Considerations: A CRB member confirmed that a policy of ensuring a person was in a safe environment was essential, not dropping them close by and driving off.

The IA Sergeant said he was not absolutely sure if there was or was not a written policy about courtesy rides, but the practice was not uncommon. Previous to ICV, the supervisor was provided the beginning and ending mileages and had radio records. Now contact with the supervisor was made and the transport was captured on ICV.

Adjudication Recommendations: The Chair emphasized the responsibility of officers in ensuring a person's safety. He was frightened at the level of danger this person ended up in, and was thankful that the woman was not hit by a vehicle.

A CRB member commended the IA Sergeant on an excellent, very thorough investigation and report. There was consensus in support of adjudication as recommended.

DECEMBER CASE REVIEW—The CRB reviewed a case in which it was alleged that during the course of an alleged use of force by Officer D, that Acting Supervisor A attempted to persuade Officer D to amend his report to reflect that the incident that occurred was partially an accident rather than an entirely intentional use of force.

Summary: Officer A was acting in the capacity of a supervisor when Officer D used his vehicle to stop a suspect on a bicycle. Officer D briefed Officer A at the scene that he intended to tap the bicycle but when he hit the brakes the cruiser slid on the gravel and struck the bicyclist harder than he intended. Officer D said that Officer A met with him later to talk over his report; Officer D said that Officer A appeared to believe that Officer D was unduly emphasizing his intent to strike the bicyclist. Officer D stated that he did not feel that Officer A wanted him to be dishonest. From the scene, Officer A reported to Lieutenant B that Officer D had inadvertently struck a bicyclist who he was attempting to arrest. Officer A, when interviewed for the investigation of use of force, described the incident as more of an accident than a use of force. Officer A also stated that he had viewed the incident as a use of force and he would not have changed how he handled the call. Lieutenant C advised the Deadly Force Review board of his conversation with Officer A. The Auditor opened an investigation of Officer A's conduct. During an interview for this investigation, Officer A stated that he believed the incident was an aborted use of force that turned into an accident, not an intentional use of force. Officer A also stated during this investigation that he did not try to influence Officer D to change his report.

Allegations:

- **Conduct—Integrity**—that Officer A, acting in capacity as a supervisor, attempted to persuade Officer D to completed a report that did not accurately reflect the incident as it occurred. All parties recommended adjudications of Unfounded; the Chief's decision was Unfounded.
- **Unsatisfactory Performance: Judgment**—that involved Officer A failed to recognize and accurately report the details of an incident to his chain of command when a reasonable employee would have recognized and reported those details. All parties sustained this allegation; the Chief's decision was Sustained.

Complaint Intake and Classification: This allegation arose during investigation into the use of deadly force and was internally reported. Classification: Allegation of Misconduct; Relevant

Department Policies and Practices: Integrity and Judgment. CRB members agreed integrity and judgment were appropriate policies.

Policy and/or Training Considerations: CRB members agreed the officer learned from experience and self-reported his use of force. They noted the AIC sergeant (Officer A) had not taken the sergeant training, which possibly contributed to his actions.

Adjudication Recommendations: CRB members agreed with the adjudication and recommendations.

Additional Comments and/or Concerns: Mr. Gissiner noted he learned of this case during a meeting with command staff.

Civilian Review Board Training

Members of the Eugene Civilian Review Board have differing life, cultural, professional and educational backgrounds and varying degrees of exposure to law enforcement and corrections professionals, municipal government operations, the criminal justice system, and the full and diverse range of communities served by local law enforcement agencies. The Board recognizes it is important to receive balanced training from a variety of sources both inside and outside the law enforcement.

In 2013 our training came from a variety of sources. Generally a training session occurs at regular meetings and the topics and presenters are selected by the Board in advance. Other training occurs during case reviews when legal and policy discussions occur. The training sessions included:

| | |
|-----------|--|
| February: | Officer Involved Shootings |
| March: | Blue Team (Use of force reporting database system) |
| April: | Ethics Training |
| December: | Communicable Diseases and Environmental Health |

Identified Policy, Procedure and Training Concerns

Eugene's model of oversight includes the CRB as a quality assurance oversight body to evaluate and comment on the work of Office of the Police Auditor and review and comment on some Internal Affairs investigations arising out of complaints and allegations of misconduct. It also includes providing a CRB as a representative to the Eugene Police Commission as a policy body to evaluate and address policy concerns, some of which have been identified by the CRB arising out of its work. The CRB has a representative on the Human Rights Commission. In 2013 both the Auditor's office and the department helped the Board identify concerns that were passed along to the Police Commission and the Chief.

Key issues that surfaced during case reviews included the opportunity for an patrol officers union representative to ask "clarifying questions." At times, we felt that the questions went beyond "clarifying questions" and were at times, "leading questions." We also found some interviews awkward as the Auditor or Deputy Auditor are obliged to ask patrol officers questions, but must do so in writing through the IA investigator even though state statute permits up to two interviewers. (This does not occur with non-represented employees.)

We recognize that the Auditor ultimately decides the classification of a complaint; notwithstanding the input of police command staff. We also recognize that ultimately a decision must be made based on the totality of circumstances. The CRB does debate these classifications, take the issues seriously and actively engages the Auditor and Deputy Auditor as to the decision-making that occurs with these classifications, recognizing the potential impact to an employee's job status.

The Board regularly seeks clarification regarding procedures and practices that evolve out of case reviews and training discussions. On occasion these result in suggestions to the department for improving services.

In 2012 the CRB discussed several policy issues for consideration by EPD and/or the Police Commission. Appendix A is the written response from EPD with regard to those policy discussions.

Evaluation of the Office of the Police Auditor and the Auditor's Performance

By ordinance, the CRB "shall evaluate the work of the auditor's office..." and shall "establish criteria by which to evaluate the work of the police auditor." Six members of the CRB completed written reviews of the police auditor and the work of the Office of the Police Auditor, as did Lieutenant Fellman and Nate Reynolds of the EPD Office of Professional Standards and the Chief of Police. At a special meeting the Board discussed those evaluations with Mr. Gissiner in executive session. The evaluation criteria were along seven dimensions.

The OPA and the Auditor's performance were rated in each dimension and individual comments and suggestions for improvement were included in the evaluation. The 2013 evaluation is included in the evaluation for Council in its evaluation of June 2013.

The Board previously sent the information to the Council in its performance evaluation packet in June 2013. The entire package is available upon request. Overall eight dimensions were evaluated. In those dimensions the Auditor's office met or exceeded expectations. Points of emphasis include continued efforts to strategize how to get additional community engagement in the processes.

Conclusions

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 in analyzing the internal administrative personnel processes of EPD and the external monitoring and complaint intake processes of the Auditor's office. The CRB conducts open and transparent public meetings on case review, policy considerations and training issues. As one example of their dedication, in 2013, the CRB met 5 more times than the minimum requirements of the Ordinance. At most meetings, the entire board is present. The CRB must evaluate difficult personnel and policy issues that impact community members and sworn police personnel. They have been complimentary, critical, inquisitive and decisive. It is an honor and privilege to serve the community of Eugene. In 2013 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.



Protection from self-inflicted injuries: Officers at the Eugene Police Department are trained on how to safely restrain a person in custody. This includes not only proper handcuffing, safe application of a Flexible Restraint Device (FRD), and methods on how to safely move a person in handcuffs from one location to another if they refuse to walk or move for themselves. This training also includes seat-belting a person in custody for their safety and the safety of the officer. Officers are trained that if a subject in custody is injuring themselves or damaging property in a patrol vehicle, to remove the subject and apply whatever restraints are reasonable or necessary to prevent harm to the officers or the person in custody.

Patrol vehicles by their design offer the most protection for both the person in custody and the officer, but they do not offer **absolute** protection from any injuries the person in custody may choose to subject themselves to. There are few reasonable options an officer may use to restrain a person beyond properly applied handcuffs and seatbelt. There are no alternatives for officers to transport a person to jail – a patrol vehicle serves as the only proven safe and defensible method of transport. *If the person is suffering from mental illness, and has been detained by an officer for purposes of a crisis evaluation, and the person is combative, an officer may REQUEST a medic unit for transport; however, the decision to transport the person in custody lies with the medic unit supervisor.*

In addition to knowing how to safely keep a person in custody from continuing to injure themselves, officers also know they are responsible for that person's care and must provide access to medical treatment for all persons in custody if it reasonably appears they require medical care.

By virtue of our job and dealings with persons, we will never eliminate the unpredictable, violent, and tumultuous outbursts of behavior by persons in custody; however, the Department is committed to providing safe and consistent service to the persons we transport and the community as a whole.

Use of Facilities: The Department routinely contacts and arrests persons who have recently, and often excessively consumed alcohol prior to their arrest; in order to provide the best service to the persons arrested and to efficiently use resources paid for and provided by the citizens, the Department has looked at ways to provide facilities without interrupting the efficient workflow that is necessary to police a city the size of Eugene. Over the course of this year, the Department has begun developing a policy for the use of the Jail Van. One of the issues consistently encountered is the varying transport times of the Jail Van and the need by the persons transported to use bathroom facilities. The draft policy (to be reviewed and approved in the coming weeks) provides clarity to officers on this issue who likely want to provide restroom facilities but also feel compelled by their charge as police officers to use resources efficiently and complete timely investigations. Here is an excerpt of DRAFT LANGUAGE:

451.5.1 CUSTODY RESTROOM FACILITIES

The Jail Van is often used when large disorderly groups are reasonably expected (UofO Football games, Disorderly Parties, etc). Alcohol and its excessive use are more often than not associated with these events as well. If a custody requests to use restroom facilities, do the following:



- Explain the current timeline and process to the custody. For example, if they know there is only one more pickup and you expect it to take less than 20 minutes, they may be able to standby until you make it to the jail.
- If they cannot wait the expected time, safely and efficiently finish whatever tasks are necessary to get the Jail Van en route to the Lane County Jail. Try and seat the custody as close to the rear door as possible.
- At the jail, remove the custody(s) needing to use the restroom. Have one Jail Van operator remain where he can see the van and one accompany the custody to the port-a-potty stationed in the jail Sally Port. Attempt to contact Jail Control and let them know you will momentarily have an unsecured prisoner.
- Remove their flexible cuffs and allow them a reasonable time to use the restroom. You may allow the restroom door to remain open if under the totality of the circumstances you believe the suspect is a danger to themselves, or may be attempting to destroy evidence or contraband.
- Replace the flexible handcuffs and return to normal jail drop off protocols.

Any disorderly or resistive custody who you reasonably believe will continue their disorderly or resistive behavior that needs to use the restroom facilities should immediately be handed over to jail staff. The supervisor who is assigned to assist and monitor Jail Van operations should facilitate this quick transaction.

Arrests for misdemeanors without observation: Every action the Eugene Police Department takes while enforcing laws is supported by Oregon law. ORS 133.310 grants officers the authority to arrest any person, day or night, without a warrant, when the officer subjectively believes probable cause exists that the person did commit a felony, a misdemeanor, or any unclassified crime or offense for which the maximum penalty allowed by law is equal or greater to the maximum penalty allowed for a Class C misdemeanor. State law does not require crimes be committed in the presence of the officer, only that they can develop probable cause (a burden akin to more reasonable than not) that the person did commit the crime.

The Department understands that in this day and age, some “low level” misdemeanors are not considered anything substantial enough to merit a trip to the Lane County Jail; however, while the officer holds the ultimate decision and responsibility on when and if a person will be arrested, they must also take into account the statements made by the complainant and evaluate whether or not the suspect in the misdemeanor is likely to provide their voluntary compliance in the future. It is just as likely that the Citizen’s Review Board would hear as many or more complaints from citizens and business owners frustrated over the lack of action by the Police Department’s lack of action on behavioral misdemeanors as there would be over the perception that officers are making lawful arrests for crimes that don’t seem to rise to the level necessary to merit taking the suspect to jail. The Department understands and encourages its officers to make calm, prudent, and lawful decisions around the substantial Constitutional encroachment of taking persons into custody; however, the Department will never restrict its officers from taking actions that are supported by good faith, reasonableness, and Oregon state law.

De-Escalation Techniques: The Department has long trained its officers to use de-escalation techniques in its approach to problem solving, particularly when dealing with mental health issues or intoxicated persons. In the last 12 months the Department has trained de-escalation

techniques three times: January 2014, October 2013, and April 2013. The training events consisted of classroom instruction, scenarios, and de-briefing from instructors about de-escalation techniques utilized in the scenarios. Some of the scenarios included persons with mental illness, suicidal subjects, government extremists, and armed subjects. Some of the scenarios dealt with enforcement situations and others dealt with mental crisis evaluation holds.

CITY OF EUGENE

Office of the Police Auditor

2013 Annual Report

Mark Gissiner, Police Auditor

5/30/2014



EUGENE MAYOR AND CITY COUNCILORS

MAYOR: KITTY PIERCY

Ward One: George Brown

Ward Five: Mike Clark

Ward Two: Betty L. Taylor

Ward Six: Greg Evans

Ward Three: Alan Zelenka

Ward Seven: Claire Syrett
Council Vice President

Ward Four: George Poling

Ward Eight: Chris Pryor
Council President

City Manager: Jon Ruiz



May 30, 2014

Honorable Mayor Kitty Piercy
Council President Chris Pryor
Council Vice-President Chris Pryor
City Councilors

I am honored to present the 2013 Annual Report of the Office of the Independent Police Auditor (OPA). This report covers the period from January 1, 2013 – December 31, 2013. 2013 was again marked by a stable, dedicated and hardworking Civilian Review Board (CRB), investigative work by EPD's Internal Affairs Section that met expectations and decisive actions on sustained complaints. With minimal impact caused by personnel changes, all entities were able to focus on the work that needs to be accomplished to meet Council and community goals.

We remain confined by Oregon Public Records laws that severely restrict our ability to communicate with optimal transparency to the community about important issues. We try to be as transparent as possible with our weekly newsletter and annual report. The keys to building and maintaining community trust are transparency and open government. Laws that shield the public from openness and transparency feed the portals of distrust and discontent and block the opportunities to identify good work done by many employees.

This report includes analysis of complaints and trends, decisions on classifications of complaints, policy and adjudication recommendations, the work of the Civilian Review Board (CRB), community outreach and education, and discussion of major cases. Statistical profiles of complaints, allegations and findings are provided with commentary. One issue of note is the significant increase in internally generated complaints. This advancement has been accomplished both through the use of Blue Team, identifying clear expectations of supervisors and command staff and EPD staff in understanding their responsibilities in reporting potential misconduct. Hopefully, these successive advancements will liberate us to do higher value work.

Beyond complaint resolution, we work with the Police Commission and EPD to promote policy improvements, emphasize training and skills necessary to enter into the daily encounters that occur with the EPD. The OPA and the CRB meet and work with external groups to learn about their interests and the services they provide.

I wish to thank the Mayor and City Council for their support in actively and vigorously participating in the oversight process. Also, we wish to thank the City's Executive Team, and other support staff for all of the "back room" functions they provide including but not limited to finance, budget, information technology and human resources. Without them, we would have a more difficult time providing customer service to our community.

Staff work from Deputy Auditor Leia Pitcher and Senior Administrative Specialist Vicki Cox has been nothing short of exemplary. Finally, my congratulations to the members of the CRB chaired by Steve McIntire, and Bernadette Conover respectively, for their hard work on difficult issues and their tireless volunteer efforts to the community to assist us with this process. They take valuable time from their personal and professional lives to give back to the community under circumstances that at times can be stressful and controversial.

Item B.

We welcome your comments and suggestions regarding how we can improve this report.

Respectfully submitted,

Mark Gissiner
Police Auditor

Our Mission

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

Our Purpose

The Police Auditor has three broad mandates: 1) to receive and classify complaints of police misconduct; 2) to audit the investigations based on these complaints; and 3) to analyze trends and recommend improvements to police services in this city. In addition, the Police Auditor supports a Civilian Review Board which provides valuable input about the fairness and diligence of the investigation process. Ultimately, the goal of the Civilian Review Board is to make the system of police accountability more transparent and increase public confidence in the manner that police conduct their work.

Contact Information

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Staff

Mark Gissiner, Police Auditor- started as Eugene Police Auditor June 2009. He brings approximately 25 years of experience and consulting in the field of external oversight of law enforcement.

In his career with Cincinnati, Mr. Gissiner served in the City Manager's Office as Director and Investigator of the Office of Municipal Investigation (OMI) and worked in the Department of Human Resources. He helped develop Cincinnati's Collaborative Agreement and the Memorandum of Understanding with the United States Department of Justice. Mr. Gissiner was the first two-term President of the International Association for Civilian Oversight of Law Enforcement (IACOLE). Mr. Gissiner's writings on issues of government accountability, government reform and human rights have been published in 14 languages. He consulted for the United States Justice Department and governments including South Africa, Brazil, Northern Ireland, Portugal, Hungary, Australia, China, Hong Kong and Spain. He was a keynote speaker at the 50th Anniversary of the European Declaration of Human Rights in Evora, Portugal.

Deputy Auditor – Leia Pitcher began working as the Deputy Police Auditor in November 2010. She came to Eugene in 2003 for law school, and after obtaining her J.D., she clerked at Division Two of the Washington Court of Appeals for two years before returning to Eugene to work in private practice. She

currently serves as a member of the board for Oregon Research Institute's Community and Evaluative Services.

Vicki Cox, Administrative Assistant – Ms. Cox has worked for the City of Eugene for 8 years, beginning in the City Manager's Office as receptionist, the last 6 years as Administrative Assistant to the Police Auditor's Office. Vicki is the front door to the Auditor's office. She organizes all administrative functions, coordinates information flow to the civilian review board and the public, maintains files, data entry and is the first point of contact for complainants or others in need of services, including services not provided by the Auditor's Office.

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Appendix A: 2013 Allegations of Misconduct and Criminal Conduct

Appendix B: 2013 Service Complaints, Policy Complaints, and Inquiries

Executive Summary

This is the Office of the Independent Police Auditor's annual report to the City Council covering January 1, 2013 to December 31, 2013. For detailed information about all aspects of our office, please visit our website at: <http://www.eugene-or.gov/policeauditor>

The Office of the Independent Police Auditor (OPA) 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 employees of the Eugene Police Department (EPD); contract for outside investigations when necessary; and provide monitoring of the EPD internal investigations of allegations of misconduct and supervisors' investigations of service complaints. The Charter Amendment also authorized 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. The Police Auditor is hired and supervised by the Eugene City Council.

Eugene has an oversight system based on the parliamentary model of oversight, in which a professional and experienced police oversight auditor is employed by the legislative branch, the City Council. Under the "parliamentary model," a greater separation of powers occurs, which is healthy for the oversight process. To enhance the system, Council appoints a civilian review board which gives a community perspective on the police complaints process. This combination creates a sound structure for police accountability when implemented effectively, fairly and without bias. What I think takes some complainants by surprise is that what starts as a community member complaint, becomes, in fact, an administrative investigation where the focus turns to the conduct of the involved officer. This shift is confusing to some as there is sometimes an expectation that the Auditor's office will be an advocate. This further emphasizes the need for all systems to be effective and vigorous, including but not limited to, attorneys, the courts, ACLU and other advocacy groups.

We intake all complaints against police employees, including complaints generated internally. We independently, impartially and thoroughly monitor the investigation process; identify ways to improve the complaint process; provide recommendations to the police chief and police commission on policies, training and trends; and provide staffing and counsel to the civilian review board on cases and policy issues. Our office monitors the overall integrity and fairness of the administrative investigative process, and in the course of such examination, reviews how citizen complaints are investigated and resolved.

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. Their annual report is also available on the Police Auditor's website at: <http://www.eugene-or.gov/policeauditor>

2013-2014 has proven to be a year of continued growth in the oversight process: quality of investigations, policy improvements, sergeant supervision of uses of force through Blue Team, clear performance expectations, staffing departures, and progress in documenting demographic characteristics of arrests, citations and detentions.

The Auditor's Office and Civilian Review Board were constructed primarily as a citizen complaint based model based on single incidents. While there is a brief portion of the legislation and protocols that gives the Auditor some latitude to initiate a complaint, the primary focus is on citizen complaints. However, situations remain where the Auditor has been identified as the "complainant," most often as a result of the review of Blue Team entries by supervisors.

The Civilian Review Board (CRB) membership is stable and provide a thoughtful and candid discussion and are a mix of community members dedicated to improving policing in the community and gaining community trust. 10 public meetings were held in 2013. Case reviews involved a significant width of issues; whether based on the conduct of individual officers or those that had significant policy implications. Regrettably, much of the general public does not take the opportunity to attend these meetings.

Leia Pitcher and Vicki Cox provide extraordinary customer service and efficiency in working to achieve our mandate. We remain pressed in our activities as we manage nearly 400 complaints a year. Few oversight organizations in the United States receive as many complaints as our office; demonstrating the expectations of our community and the knowledge of our activities in the community. (For example, San Jose, with a population of nearly one million, received 329 complaints. Cincinnati, with a very similar oversight model as Eugene, received 270.)

This year our complaints rose by 10%. This has a significant impact on our work as the cornerstone of our model is the intake of complaints outside of the police process. Our classifications of complaints as allegations dropped. There are a number of variable that caused this to occur, including, but not limited to more investigative work done by the Auditor's office at the earliest stages of a complaint. This is accomplished because of the continued improvement in ICV equipment and greater accountability for using ICV. Blue Team, body cams and the new Records Management System(RMS) have provided the opportunity to "cover more ground" early on in the complaint process so as not to over classify as allegations.

Our view is that the depth of investigations in the allegations expanded. Allegations are those cases which are investigated by the Internal Affairs Section of EPD and usually require far more comprehensive investigations and time. The balance of cases, called service complaints, policy complaints and inquiries, are handled through an alternate dispute resolution process (ADR); most often with supervisors discussing these issues with the complainants and officers. Inquiries are most often requested by the Auditor as a fact finding tool to determine how a complaint should be classified. At times, this process has concluded that in fact, there is no basis for a complaint.

Intake Processes and Accomplishments: The Auditor's Office was constructed primarily as a citizen complaint-based model. While there is a brief portion of the legislation and protocols that gives the Auditor some latitude to initiate a complaint, the primary focus is on citizen complaints. A complaint process under this design has the potential to leave gaps without Eugene Police Department (EPD) internally generated cases or ones discovered by my office. I believe that the design gaps are closing as

a result of improved supervisory efforts in EPD utilizing Blue Team, technology upgrades to the data tracking system, and open and honest communication about individual behavior issues, systemic enhancements and policy weaknesses.

We remain pressed in our activities as we manage nearly 400 complaints a year (a 10% increase) for approximately 179 sworn officers. (For comparison purposes, Boise, population 210,000 with 312 sworn officers, received 149 citizen complaints and 33 internally generated complaints.) I believe we spent considerably more time this year with individuals suffering temporary or permanent diminished mental capacity.

We spend hours working with complainants to navigate and understand the complaint process; and assist them in understanding the roles of the courts, their attorneys and how their roles differ from the auditor's office. Returned survey data indicates a high satisfaction level with the intake and explanations received from the Auditor's office.

We also saw a significant increase (about double) in internally generated investigations and "complaints." I believe this is indicative of the oversight process, at least to some degree, bringing EPD supervisory expectations to a higher level through reporting of incidents, including uses of force, in Blue Team. If the Auditor or command staff identify issues arising out of a Blue Team report, an investigation is initiated. Also, I think more so than in the past, people who receive traffic citations and appear or are scheduled for municipal court believe that the Auditor's office is an alternative to a judicial decision regarding their guilt or innocence of a violation. Even with explanation, often times the expectation remains that our role is considered court advocate, rather than a neutral evaluator of police conduct within the context of police policies and procedures.

While I believe that our classifications are fair and neutral, some concerns are expressed about the classification of some cases. I will admit that we do hold officers to high standards and probably identify cases as allegations where in many jurisdictions they may not reach the level of an allegation (such as use of pepper spray, pointing a Taser but not firing, which is considered a rather benign use of force in most policing jurisdictions). However, I believe that these classification standards are in line with community expectations and efforts to build trust in the community. We recognize and appreciate the impact of our decisions on complainants and their families, community, officers, their families and the other interested parties. We make these decisions with careful consideration based on our experience, training and policy evaluations, with recognition that our decisions are not always going to please others.

The service complaints, policy complaints and inquiries are handled through an alternate dispute resolution process (ADR); most often with supervisors discussing these issues with the complainants and officers. Through ADR, the satisfaction rate is approximately 70%. In the "industry" of civilian oversight of police, this is an excellent resolution measure.

We also worked with EPD and the EPEA to implement a "rapid adjudication process." This process encourages officers to self-report an allegation of misconduct, avoid a long Internal Affairs investigation and accept discipline much sooner in several cases in which there was not harm or injury to a community member.

Investigations: The quality of internal investigations has met expectations. During 2013, both Internal Affairs Investigators, and the supervisor had completed 1 year of service, gaining valuable experience.

In addition, EPD added a full time sergeant to the policy position. This person was able to handle policy complaints and numerous inquiries. In addition, some allegations of criminal conduct are turned over to an outside agency, to avoid any perceptions of bias or favoritism. Many have returned for adjudication in the administrative process. I have found no evidence of interference with Internal Affairs investigators by command staff in fulfilling their duties of conducting a fair and objective investigation.

Blue Team: Blue Team gets its own paragraph because of the impact it has toward a philosophy of constitutional policing. Blue Team is a data tracking system with the EPD and Auditor shared database system that tracks uses of force, pursuits, vehicle accidents, bias complaints and other allegations and major issues. It has been online for about 18 months and the changes are remarkable. With EPD command staff agreeing that full access for my office is important for the success of Blue Team, we are now able to look at all uses of force.

With our current system we have identified those officers with the highest number of complaint involvement. The best measure in these circumstances is a sustained rate; however, a higher complaint rate does generate supervisory review as discussed at the weekly Internal Affairs/Command staff meeting. Several past and current investigations are identifying sworn and non-sworn employees who have exhibited policy violations.

Communications: We work to foster positive and constructive relationships and partnerships with Council through monthly meetings with the Mayor, Council President and Council Vice-President, respectively; in addition to written and oral reports to Council. Beyond the public civilian review board member meetings, we reached out with seminars. Attendance is sparse. We also attended some community and neighborhood association meetings. CRB members have also offered to expand their availability to the neighborhood associations. Absent hot button issues, given the broad range of community issues, we do not stand out above other city issues. We engaged in a community forum on criminal justice, had a joint meeting with the Police Commission and we are working with the Human Rights Commission staff about coordinating more community activities. Many oversight agencies have full time community outreach coordinators and we have discussed partnering with HRC staff on community outreach.

The customer service aspect of our responsibilities consumes a significant portion of our workload. Identifying and advocating for structural changes in EPD policies, supervision and police interactions has been a priority for us. We have had discussions with other agencies to pool our resources to better expose the community to the work of the Police Commission, Human Rights Commission and the Civilian Review Board. We created a new brochure as well as descriptive text of each of the classification categories to better inform customers of processes. All of these new documents are being translated into Spanish. We are working with the Human Rights Commission to organize community forums with emphasis on the needs of the Latino community.

Again this year, we spent considerable time with individuals suffering temporary or permanent diminished mental capacity. In our efforts to improve this situation, as a member of the Oregon League of Cities General Government Policy Committee, I have advocated for greater attention to this matter.

Performance and Policy Impact: For EPD, of the 32 cases that were opened as allegations, 43.75% resulted in a sustained allegation (more details in our annual report). For comparison purposes, Cincinnati had a sustained rate of 12%, Tucson – 20%, Seattle – 12% (2012) and San Jose- 2%.

We (Auditor and CRB) have advocated, with varying degrees of success, for policy improvements in search and seizure, canine use, vehicle pursuit, Brady issues, use of force and response to unusual behavior by arrested subjects. With a full time policy analyst in the office of Professional Standards, policy changes and additions were finalized for the following:

- O.C. Spray, Carotid Restraint, Edged Weapons, Pursuits, Officer Response to Calls of Domestic Violence, Search and Seizure, CLC's, Vehicle Tows and Inventories, Evidence and Property, Custody Searches, Bias-Based Policing.

Policy work that is drafted and with staff include: use of the jail van, professional stops, spit hoods, forcible stops and 13 others.

We are providing commentary to EPD and the community on new policies and data collection to determine the scope of bias-based policing issues. It is a monumental task but one that I am certain will be of great benefit to the community.

Other Accomplishments: We returned budgeted funds to the general fund although diminishing due to City cutbacks; initiated several investigations of allegations of misconduct including use of force; provided staff support and training initiatives to the CRB; spent many hours assisting community members with problems unrelated to police officers; attended public meetings in the community; the newsletter and we publish a thorough and transparent annual report that captures the work of our office.

Throughout the reporting period we maintained contact with the public through our website, meetings with key stakeholders and the general public, conducting interviews with print and TV media, participation in public forums and on panels, attendance at civilian oversight conferences, and a great source of weekly activities our newsletter. We are working with the Human Rights Commission to outreach to the Latino community about our services. This is an area that requires growth.

Reflection: In 2003 Dr. Sam Walker, formerly of the University of Nebraska and arguably one of the top experts in the nation on police oversight wrote a paper and chaired a conference on the "Core Principles for an Effective Police Auditor's Office." I believe we are meeting these standards. Key points were:

INDEPENDENCE

- A police auditor's office must be fully independent of the law enforcement agency under its jurisdiction.
- Specific language in the enabling ordinance must indicate that an auditor may be removed from office only for cause and through a clearly defined removal process.

CLEARLY DEFINED SCOPE OF RESPONSIBILITIES

- The scope of the responsibilities of a police auditor's office must be clearly defined by ordinance (or contract).
- Specific language, for example, must define the auditor's responsibility to audit complaint files, have unfettered access to all relevant records and reports, to make policy recommendations, to issue public reports, to investigate individual critical incidents....

ADEQUATE RESOURCES

- A police auditor's office must have adequate resources to ensure that all duties can be conducted effectively and efficiently....

UNFETTERED ACCESS

- A police auditor must have unfettered access to all documents and data in the law enforcement agency. This unfettered access must be spelled out in the enabling ordinance. The only exception to this rule would be files related to an on-going criminal investigation.
- All documents must be provided to the police auditor without charge to the auditor's office.

FULL COOPERATION

- A police auditor must have the full cooperation of all employees of the law enforcement agency under its jurisdiction.
- All employees, including sworn officers, shall cooperate as a condition of their employment.
- With respect to potential self-incrimination, the standards defined in Garrity v. New Jersey shall prevail.

SANCTIONS FOR FAILURE TO COOPERATE

- [There must be] sanctions for failure to cooperate with the work of an auditor on the part of the law enforcement agency employee.

PUBLIC REPORTS

- A police auditor must issue periodic public reports.
- Such public reports shall be issued at least once a year and, ideally, more frequently.

NO PRIOR CENSORSHIP BY THE POLICE DEPARTMENT

- Reports by the police auditor shall not be subject to prior censorship by the law enforcement agency.
- A police auditor may reject any and all demands by the law enforcement agency to see draft copies of public reports.

COMMUNITY INVOLVEMENT

- A police auditor must have the benefit of community involvement and input.
- Community involvement and input can best be achieved through an advisory board consisting of members who represent the diverse composition of the local population.

CONFIDENTIALITY / ANONYMITY

- The work of a police auditor must respect the confidentiality of public employees as defined in the applicable state statute....In the interests of enhancing public understanding, a police auditor may report on specific incidents with personal identifiers removed without violating standards of confidentiality.

ACCESS TO THE POLICE CHIEF

- A police auditor must have direct access to the chief executive of the law enforcement agency under its jurisdiction. Upon request, a police chief or sheriff must agree to meet with the police auditor. It is understood that a chief executive may decline to meet in the case of an unreasonable number of such requests. Failure to meet with a police auditor for a period of one year shall be considered unsatisfactory performance on the part of a chief executive and be taken into consideration in performance review.

NO RETALIATION

- The enabling ordinance of an auditor's office must specify that there shall be no retaliation against the auditor for work done as a part of the auditor's responsibilities, including statements made in public reports.

Results for Goals for 2013 – 2014

1) Work with the Police Commission, Human Rights Commission and Municipal Court and partner with community agencies to broaden the understanding of the services provided in each venue and how those services interact with police actions, particularly with segments of the community in which English is not a first language. Given the current workload, taking on this task alone may fall short for each agency unless we collaborate while respecting the neutrality of the Auditor's office and the courts.

I believe we have made progress and have more work to do. Even though our complaints are up 10%, allegations have decreased for a number of reasons. Allegations are the most time intensive cases and with a reduction, we should be able to devote more resources to broadening the understanding of our services and explain differences in how each agency functions. We currently are finalizing a community engagement strategy.

2. Promote constitutional – based policing as the foundation for law enforcement in Eugene. This initiative is taking place in EPD and also through the effort toward quantifying any biases in policing through data collection and analysis.

3. Identify and evaluate weaknesses in high risk policies and practices.

Numerous changes have occurred in policies with the recommendations of our office receiving serious consideration by EPD.

4. Ensure that supervisors are meeting their Blue Team responsibilities. Conduct trend analysis based on Blue Team data.

The Auditor's office and EPD command review uses of force and other Blue Team entries on a daily basis. A serious use of force was found by our office through the Blue Team tool and the officer involved is no longer employed at EPD. Supervisors are stepping forward to identify possible allegations of misconduct.

5. Maintain the outstanding performance of staff and the CRB.

We are blessed with great staff work on a daily basis.

Goals for 2014 – 2015

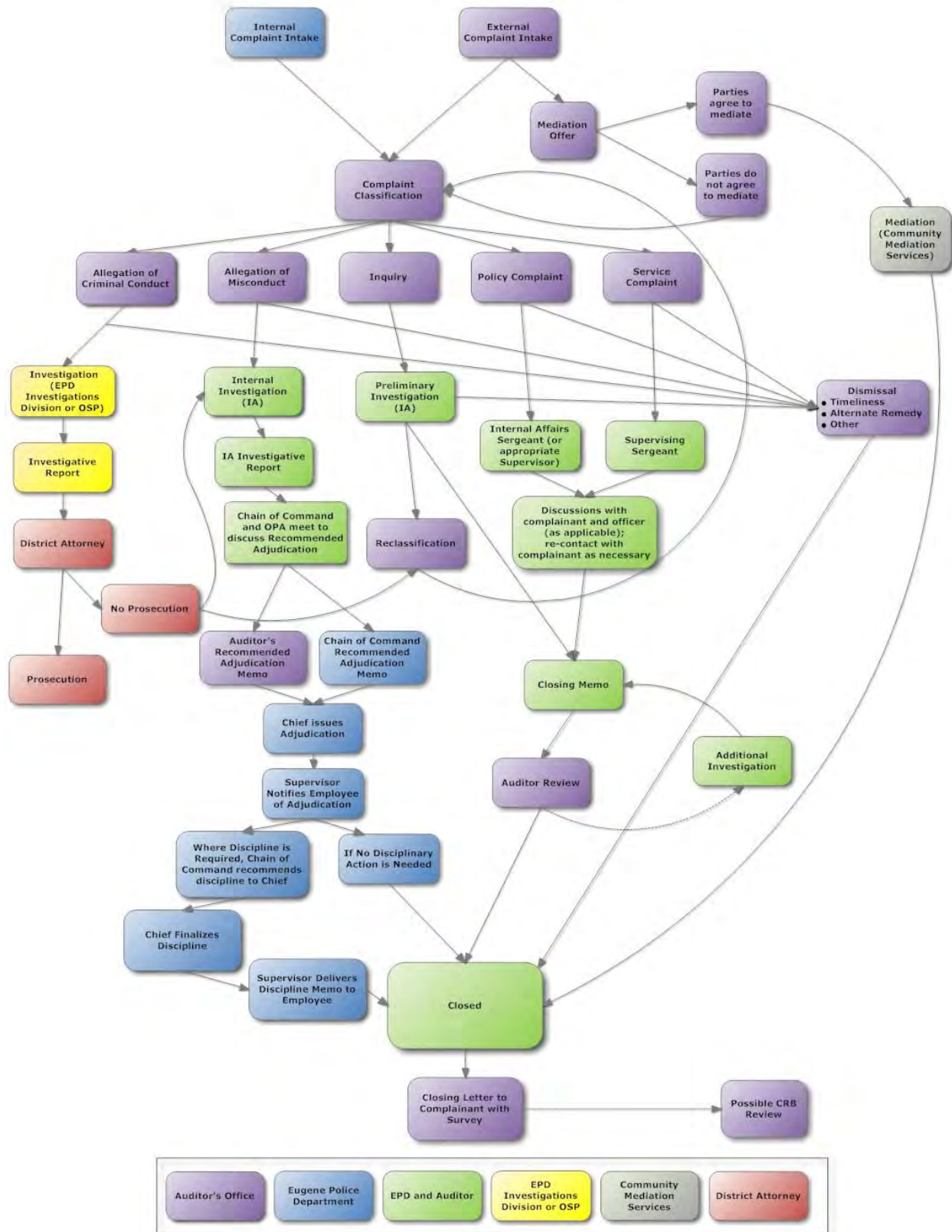
1. Finalize community engagement strategy and implement the strategy.
2. Rather than the Auditor being a complainant on any case, particularly a major case, that the complainant is EPD when not a citizen complaint.
3. Have CRB review more classification decisions.

4. See through to implementation the new data tracking system for all arrests, citations and detentions during police stops. This is a major project that will have great benefit to the community.

5. Continue with the goals set forth in previous years.

6. Maintain the “Core Principles for an Effective Police Auditor’s Office” as written by Dr. Sam Walker, one of the leading civilian oversight experts in the U.S.

Complaint Process



updated June 2012

Related Data

2013 total police calls for service (where police responded including officer initiated): 124,708 (an increase of 8.9% from 2012, and an increase of over 26% in the last five years).

| Year | Total Calls for Service |
|------|-------------------------|
| 2013 | 124,708 |
| 2012 | 114,500 |
| 2011 | 104,660 |
| 2010 | 97,277 |
| 2009 | 98,796 |

2013 total custody arrests and misdemeanor citations including DUII arrests: 13,068

| Year | Total Custody Arrests and Misdemeanor Citations |
|------|---|
| 2013 | 13,068 |
| 2012 | 15,614 |
| 2011 | 15,471 |
| 2010 | 14,626 |
| 2009 | 16,358 |

2013 custody arrests and misdemeanor citations including DUII arrests per capita arrests (based on estimated population of 159,580) rate: 0.082

2013 Total Uniformed Traffic Citations: 13,454

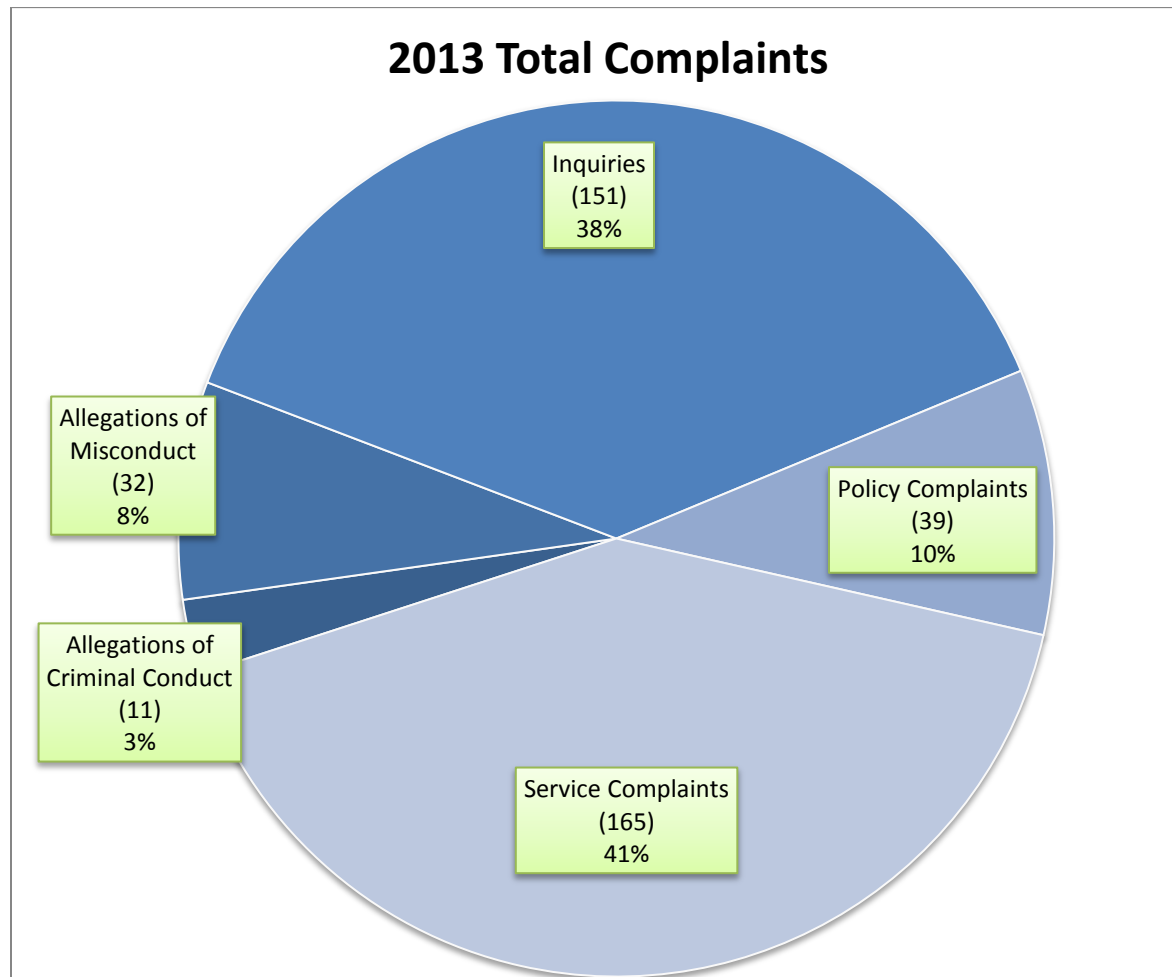
| Year | Total Uniform Traffic Citations |
|------|---------------------------------|
| 2013 | 13,454 |
| 2012 | 15,170 |
| 2011 | 13,133 |
| 2010 | 16,670 |
| 2009 | 18,299 |
| 2008 | 15,282 |

EPD began tracking uses of force using BlueTeam on April 15, 2013. From that time until the end of the year, officers used or threatened use of the Taser a total of 66 times (threatened use 40 times, use of Taser 26 times). Our office will issue a more detailed examination of uses of force later this year.

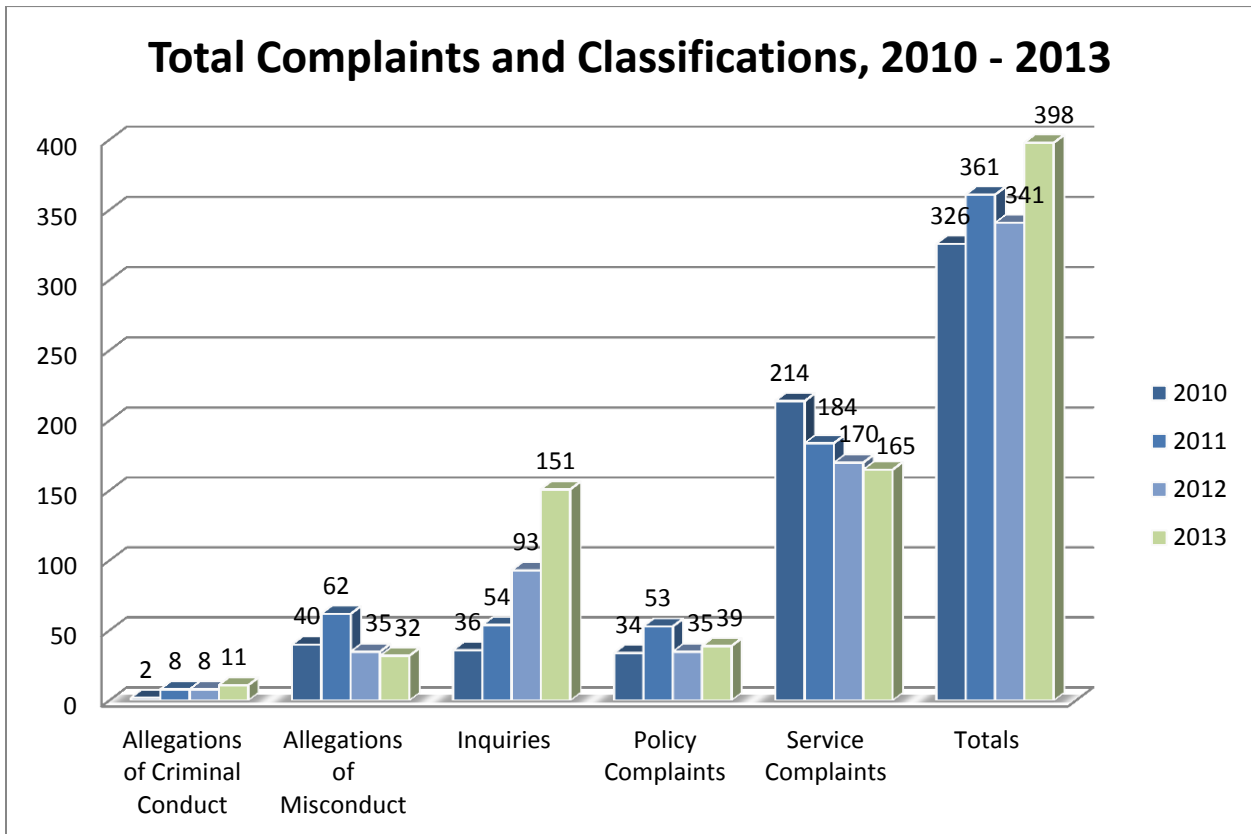
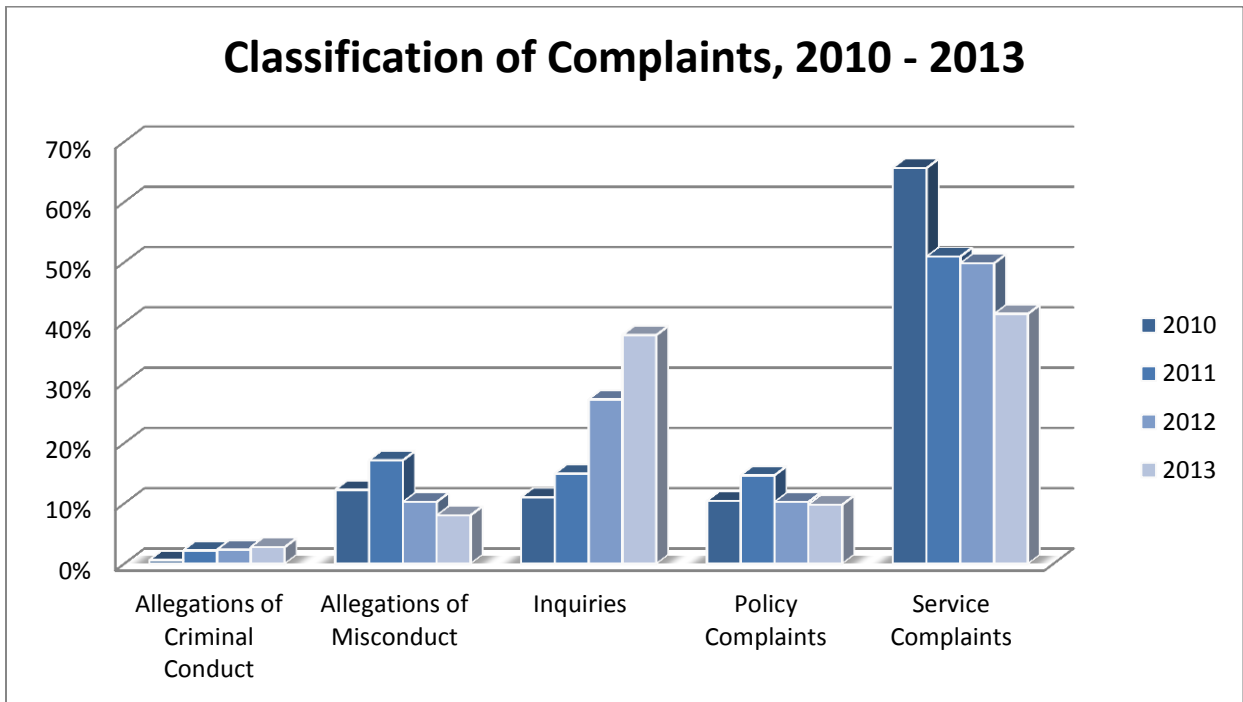
2013 Complaint Statistics

The Auditor’s Office received 398 complaints in 2013, which represented a 17% increase over the 341 complaints we received in 2012. Service complaints and inquiries constituted the vast majority of the complaints (41% and 38%, respectively). Our office also participated in two Deadly Force Review Boards in 2013, for a total of 400 investigated incidents.

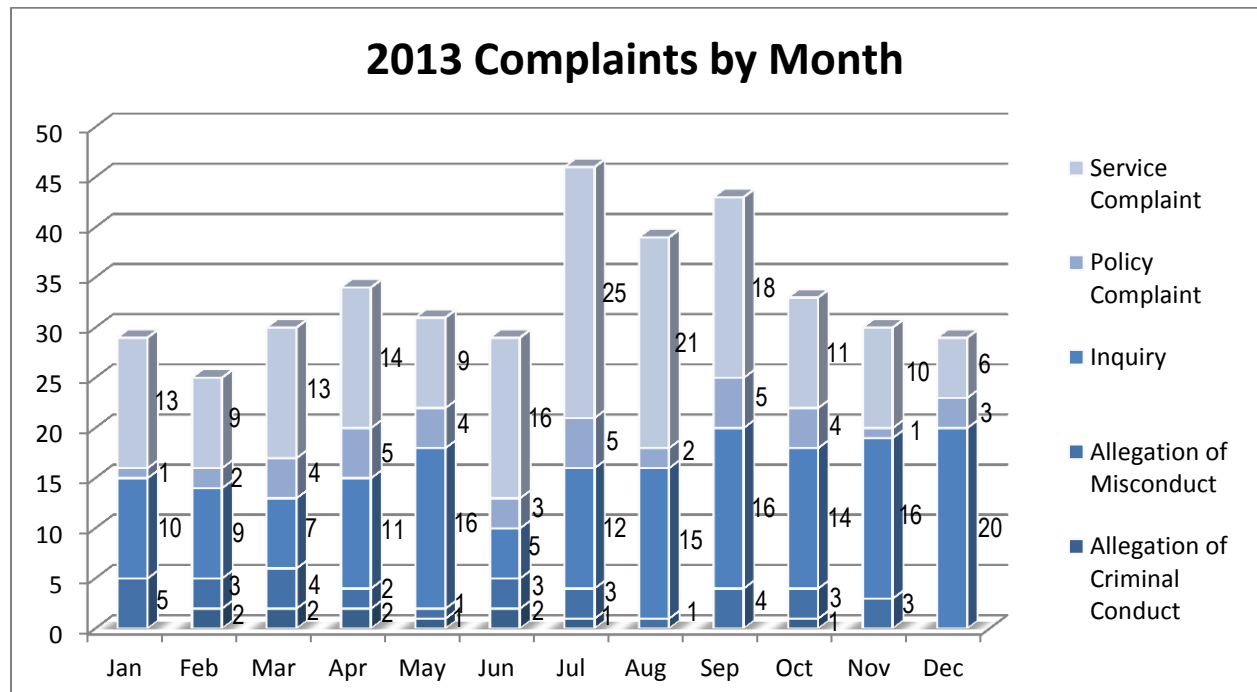
| <u>Classification</u> | <u>Number of Complaints</u> |
|--------------------------------|-----------------------------|
| Allegation of Criminal Conduct | 11 |
| Allegation of Misconduct | 32 |
| Inquiry | 151 |
| Policy Complaint | 39 |
| Service Complaint | 165 |



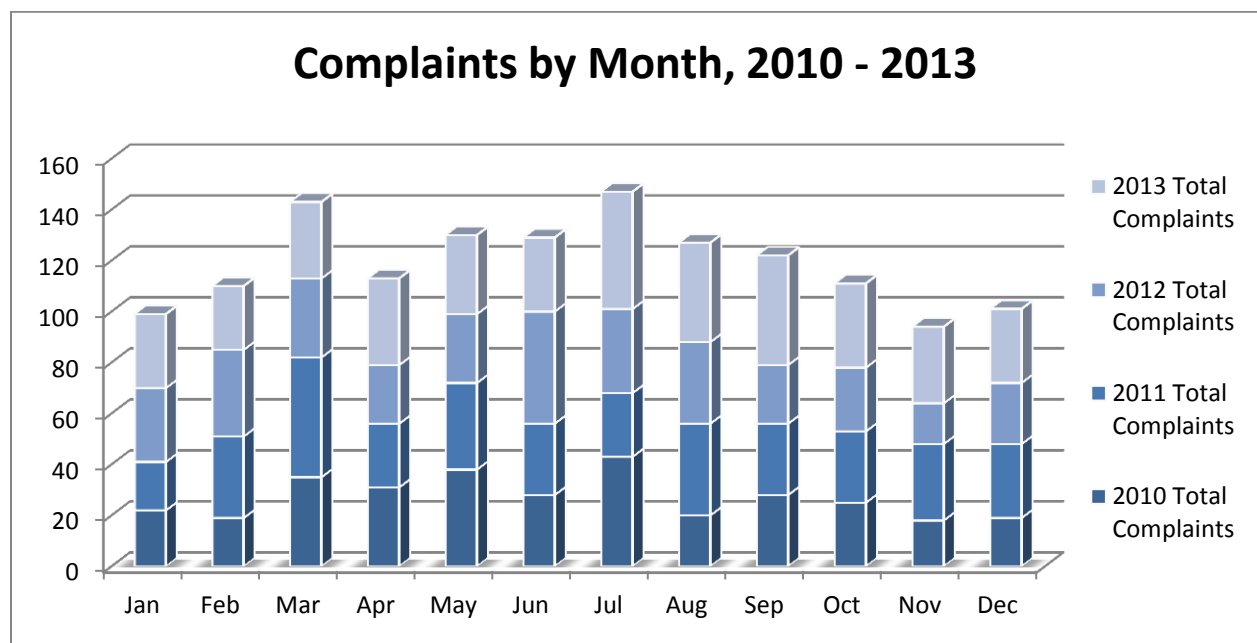
Allegations stayed relatively steady (32 in 2013 compared to 35 in 2012). Inquiries continued to rise, with 151 in 2013 compared to 93 in 2012. Inquiries represented the most dramatic increase over 2012.



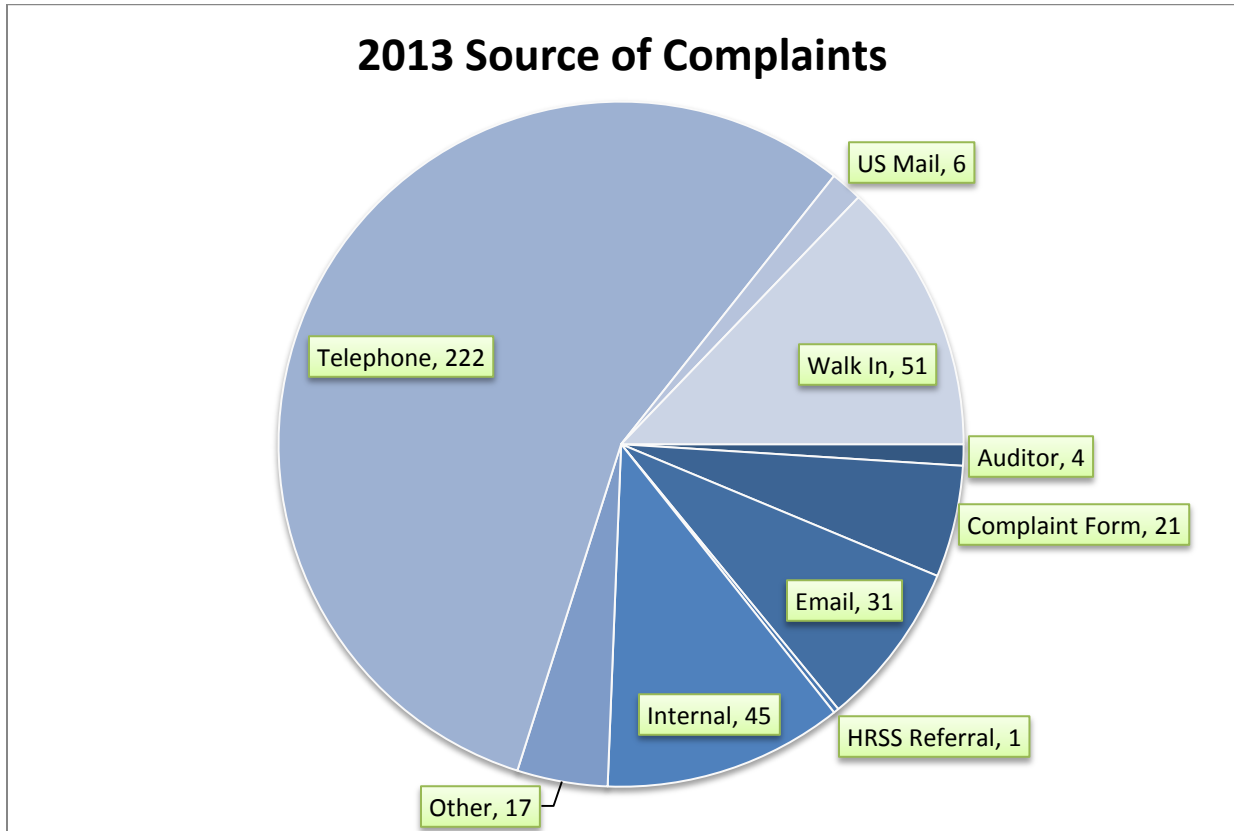
Unlike in previous years, in 2013 we saw a clear increase in complaints during July, August, and September. February was our slowest month, with only 25 complaints. On average, we received 33 complaints per month in 2013, a 17% increase from 2012's average of 28 complaints per month.



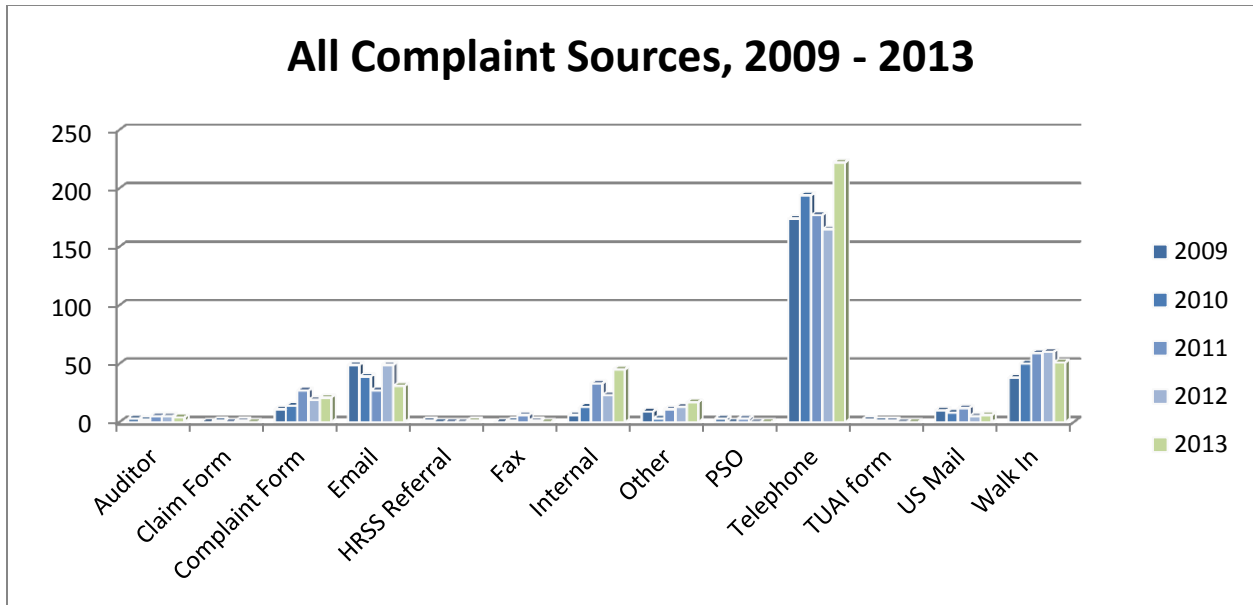
Data from the past four years shows that we generally have more complaints in March and the warmer months. Complaints are generally decreased November – January.



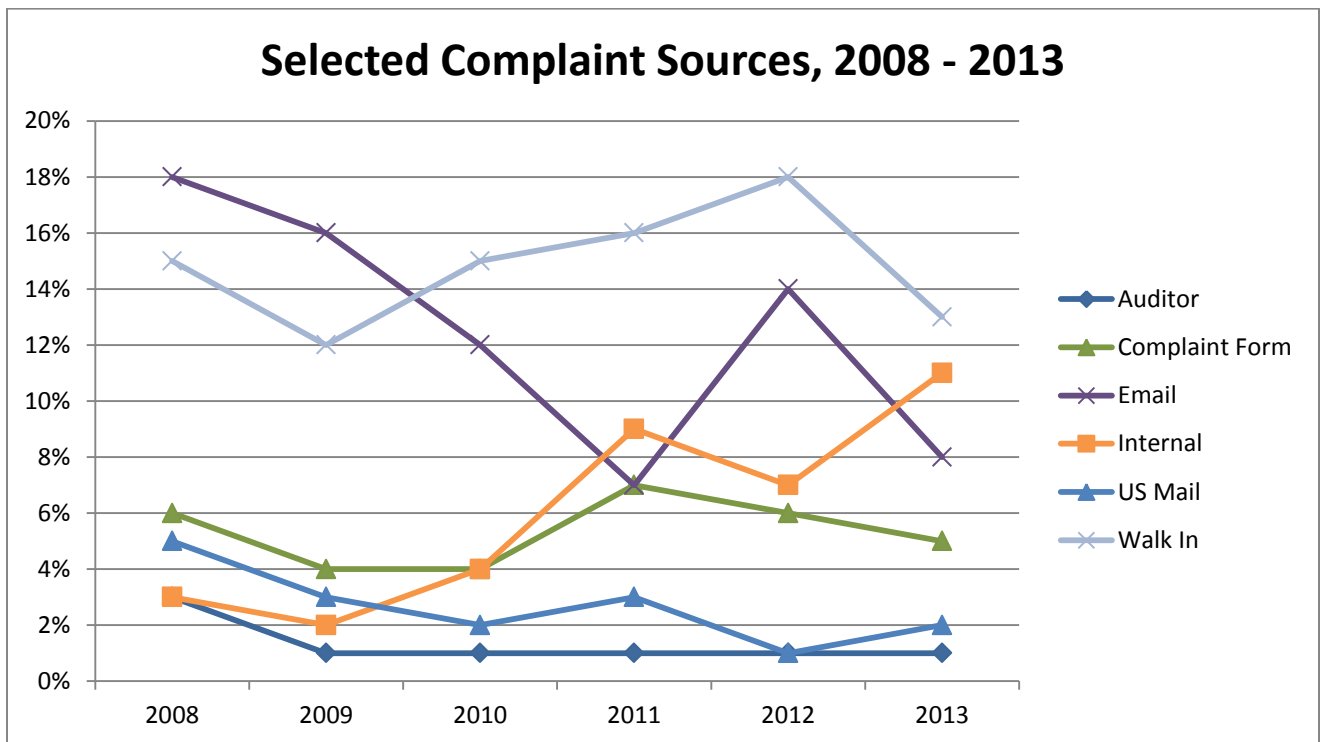
The majority of our complaints were received via the telephone (222 complaints, or 56% of our total). This represented an increase from last year, when we received 48% of our complaints over the telephone. Our office initiated four complaints, which was similar to last year (in which we opened five). 2013 saw a significant increase in the number of internally reported complaints, from 23 in 2012 (7% of total complaints) to 45 in 2013 (11% of total complaints). Our walk-in complaints decreased, from 60 in 2012 (18% of complaints) to 51 in 2013 (13% of complaints).



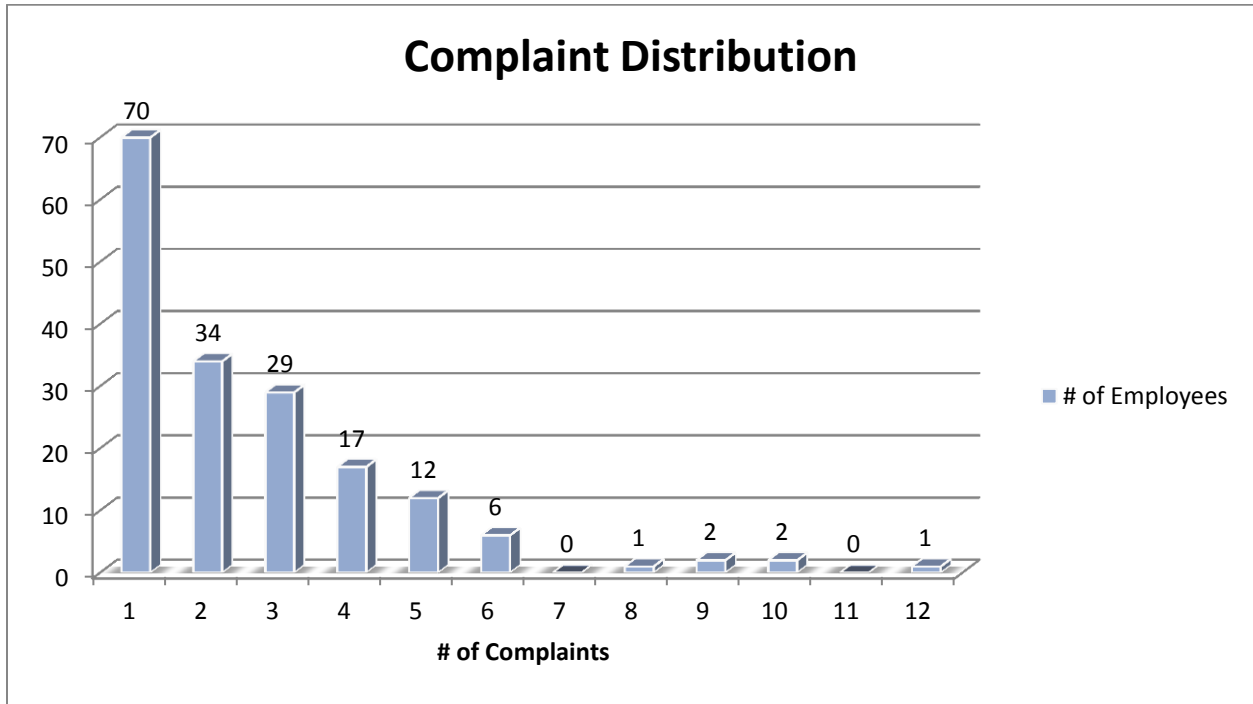
The telephone has consistently been the most common way for us to receive complaints. Methods such as referrals from the Equity and Human Rights office, submissions of EPD’s “Tell Us About It” (TUI) form, fax, referrals from the City’s Public Service Officer, and submission of risk claim forms, have remained consistently low over the years.



Internal complaints have increased greatly over the years; internally reported complaints consisted of 2-4% of the total complaints in 2008-2010, but they consisted of 11% of the complaints received in 2013. Auditor-initiated complaints have remained steady at about 1% of total complaints. The percent of complaints received via walk-ins or our complaint form has remained fairly consistent over the years, hovering around 15% and 5%, respectively.



Complaints were distributed among 174 employees; 40% of those employees (70 employees) had only one complaint levied against them. One employee received 12 complaints, two employees received 10 complaints, and two employees received 9 complaints.



* Please note, some complaints name more than one employee.

Our office is the intake point for complaints for all employees of EPD, including sworn and non-sworn employees (a total of 302.75 FTE, as of May 2014). The 170 employees with complaints represent 56.2% of the employees at EPD.

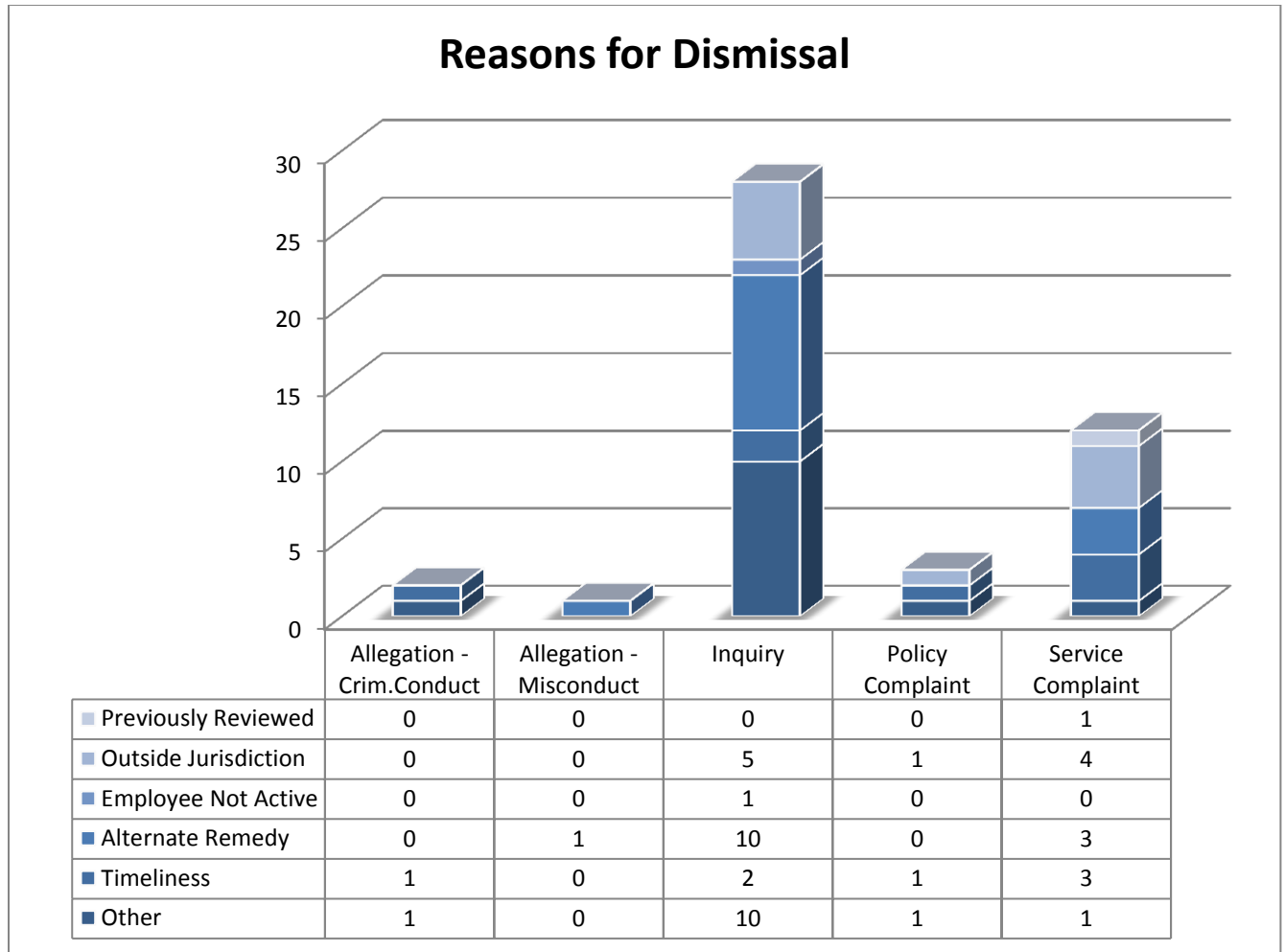
Table 1. 2013 Complaints by Number of Employees

| | Number of Employees | Number of Complaints Received | Percent of All EPD Employees |
|------------------------------|---------------------|-------------------------------|------------------------------|
| Employees with Complaints | 170 | 398 | 56.2% |
| | 70 | 1 | 23.1% |
| | 34 | 2 | 11.2% |
| | 29 | 3 | 9.6% |
| | 17 | 4 | 5.6% |
| | 12 | 5 | 4.0% |
| | 6 | 6 | 2.0% |
| | 0 | 7 | 0.0% |
| | 1 | 8 | 0.0% |
| | 2 | 9 | 0.1% |
| | 2 | 10 | 0.1% |
| | 0 | 11 | 0.0% |
| | 1 | 12 | 0.0% |
| Employees with No Complaints | 132.75 | 0 | 43.8% |
| Total | 302.75 | 398 | 100% |

The distribution of sustained allegations of misconduct among employees, as opposed to complaints (which may be unfounded) is addressed below.

Dismissals

Of the nearly 400 complaints received in 2013, 46 were dismissed (11.6%). Only seven were dismissed for a lack of timeliness (1.8%), which may indicate that members of the community who wish to file a complaint know about our office (and therefore file the complaint in a timely manner).



Inquiries were dismissed far more than other classifications of complaints. This reflects our thorough preliminary investigations – often, a complaint will be classified as an inquiry while we perform a preliminary investigation. The additional information gained in that investigation may allow us to dismiss a complaint where appropriate. Often, in-car video (ICV) is included as part of the preliminary investigation; where it is clear from the video that the involved employee followed policy, the complaint may be dismissed (these would fall under the category of dismissed-Other, above). This practice is discussed in further detail below.

Allegations

A complaint is classified as an allegation if it alleges serious misconduct. There are two main categories of allegations: allegations of criminal conduct (where the actions alleged, if found to be true, would constitute criminal conduct by an employee) or allegations of misconduct (where the actions alleged constitute a major rules violation, including excessive force that causes physical injury or egregious acts of disparate treatment).

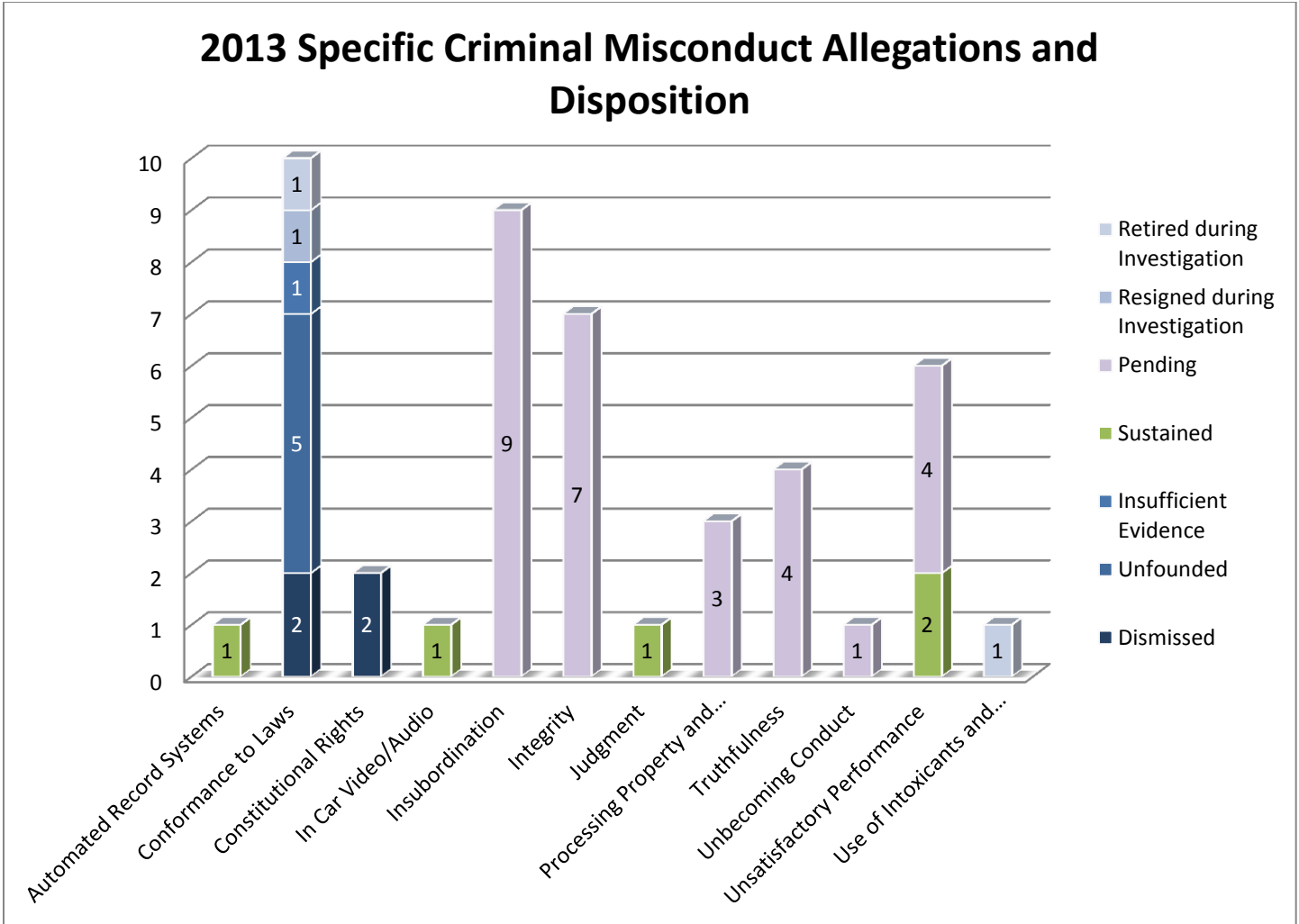
Criminal Conduct

During 2013, the Auditor's office received 11 complaints that were classified as allegations of criminal conduct. This was the highest number of criminal misconduct complaints that our office has received in the past four years, having received eight criminal misconduct complaints in both 2012 and 2011, and only two in 2010.

The 11 complaints included 46 separate allegations of violations of policy.

Table 2. 2013 Specific Allegations of Criminal Misconduct

| | # of Allegations | Dismissed | Unfounded | Insufficient Evidence | Sustained | Pending | Resigned during Investigation | Retired during Investigation |
|------------------------------------|------------------|-----------|-----------|-----------------------|-----------|---------|-------------------------------|------------------------------|
| Automated Record Systems | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Conformance to Laws | 10 | 2 | 5 | 1 | 0 | 0 | 1 | 1 |
| Constitutional Rights | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| In Car Video/Audio | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Insubordination | 9 | 0 | 0 | 0 | 0 | 9 | 0 | 0 |
| Integrity | 7 | 0 | 0 | 0 | 0 | 7 | 0 | 0 |
| Judgment | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Processing Property and Evidence | 3 | 0 | 0 | 0 | 0 | 3 | 0 | 0 |
| Truthfulness | 4 | 0 | 0 | 0 | 0 | 4 | 0 | 0 |
| Unbecoming Conduct | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Unsatisfactory Performance | 6 | 0 | 0 | 0 | 2 | 4 | 0 | 0 |
| Use of Intoxicants and Medications | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Totals | 46 | 4 | 5 | 1 | 5 | 28 | 1 | 2 |



The sustained allegations related to allegations of criminal misconduct were for violations of the following policies: Automated Records Systems, In Car Video/Audio, Judgment, and Unsatisfactory Performance. In each of those cases, the criminal allegation itself was unfounded, but the allegation of misconduct was sustained.

In one instance, the criminal misconduct complaint investigation is still pending and will not be commented upon in detail here. However, the course of the complaint process is indicative of the thorough treatment that these complaints receive. Our office was routed the original complaint, and we were responsible for classification of the complaint as a criminal misconduct allegation. The criminal investigation was then assigned to Oregon State Police. When OSP had finished their criminal investigation, the investigative file was forwarded to both the District Attorney and EPD. Our office consulted with EPD on the investigation and agreed that further administrative investigation was necessary. That administrative investigation was carried out by EPD Internal Affairs, with our office participating. When the administrative investigation was complete, both our office and the EPD chain of command met to discuss adjudication recommendations for the Chief. Once both parties agreed that

the investigation was complete, both our office and the EPD chain of command wrote memoranda to the Chief outlining our recommended adjudications. The Chief has since adjudicated the allegations, but the disciplinary process is still ongoing. Because discipline has not yet been administered, the complaint is still considered open. When the complaint is closed, a summary will be included in the Police Auditor's Weekly Update.

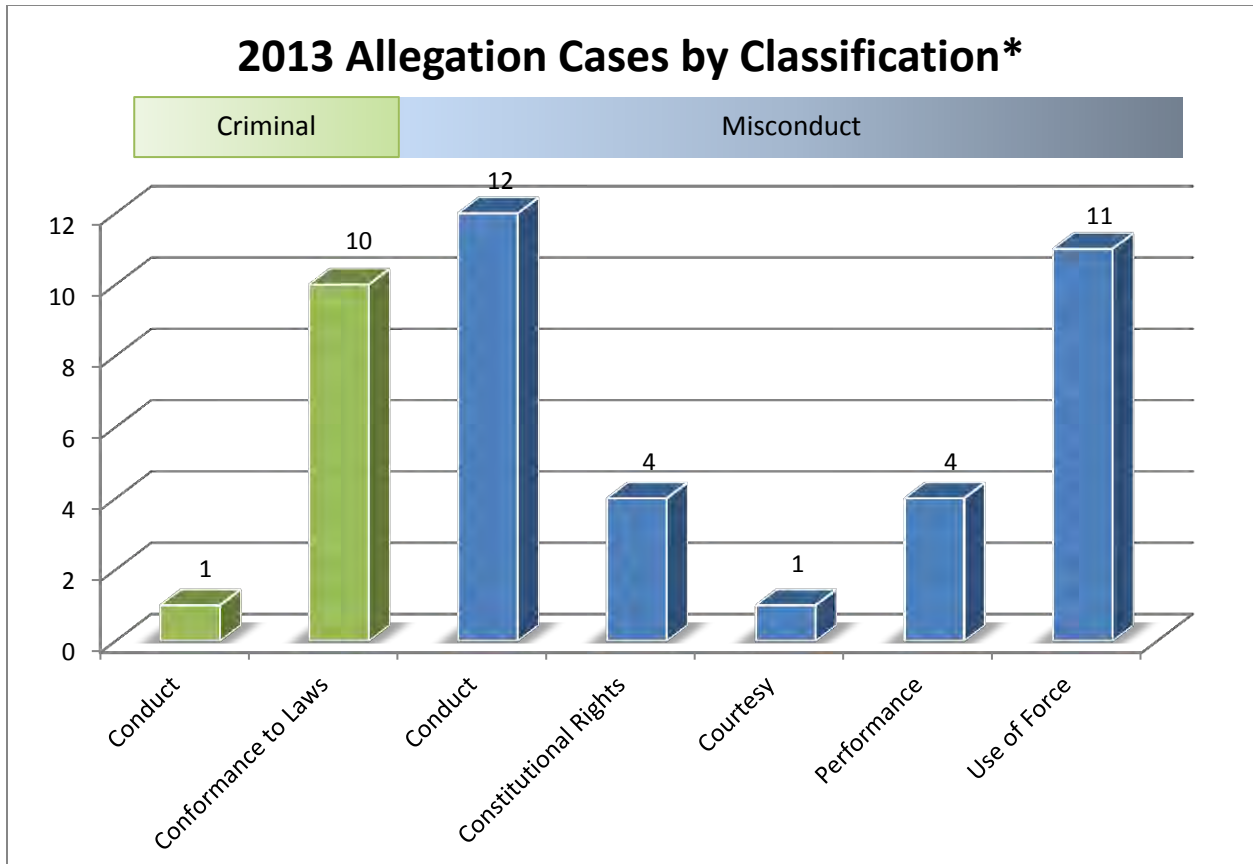
The following is an overview of the criminal misconduct complaints received and closed in 2013:

1. A supervisor reported that an employee had been involved in a "road rage" incident; the person reporting the complaint to the supervisor alleged that the employee had pointed a handgun at him during the interaction. The criminal investigation was handled by OSP and reviewed by the Lane County District Attorney's Office. The investigation showed no evidence that a crime was committed. Our office reviewed the investigative file and found no need for further administrative investigation. The allegation was adjudicated as unfounded.
2. An occupant of the jail complained that she had been assaulted by the officer who arrested her and that the assault took place in his patrol car on the way to the jail. The investigation included review of in-car video, which indicated no assault took place. The reporting party recanted and stated that she was giving the officer a hard time. The complaint was dismissed due to the lack of credible evidence.
3. It was internally reported that an employee may have been using prescription drugs without obtaining a prescription. The criminal investigation was performed by EPD. The investigation was reviewed by our office and found to be thorough; it uncovered no probable cause or reasonable suspicion that the employee had committed or attempted to commit any crime. The District Attorney also reviewed the criminal investigation and found no reason to proceed with any prosecution. An administrative investigation followed the criminal investigation (to determine whether any EPD policies were being violated). The employee retired during the administrative investigation and the complaint was closed.
4. An arrestee complained that \$300 was taken from his wallet when he was arrested. The criminal investigation was conducted by EPD. The reporting party stated that he was too intoxicated to remember when the money left his wallet (or whether he spent it) and that he was satisfied with the follow up. The criminal investigation uncovered no evidence that any employee committed a crime. Our office reviewed the investigation and found no need for further administrative investigation.
5. A reporting party complained that an employee had made unwanted physical contact with her. The criminal investigation was conducted by Oregon State Police, who found no evidence that the officer committed any crimes. The Lane County District Attorney's office reviewed the investigation and determined that no criminal charges would be filed. Our office reviewed the criminal investigatory file, and an administrative investigation followed to determine whether the officer violated policy during the contact. The allegation that the officer had not conformed to laws was unfounded; however, allegations regarding the officer's performance, judgment, and use of the automated records system and in-car video recording system were sustained. The complaint was closed following the disciplinary process.

6. A reporting party stated to a supervisor that an employee (a family member) had assaulted her several years ago. Our office was informed of the allegation, and the investigation was performed by an EPD supervisor. The investigation uncovered no evidence to support the allegation, and the allegation was determined to be unfounded.
7. A reporting party complained that money was taken from his wallet during his arrest and not returned to him. The criminal investigation was performed by an EPD supervisor, who found no evidence that the reporting party had any money with him when he was arrested other than the amount that officers properly processed as evidence. The Lane County District Attorney's office reviewed the investigation and found no basis for prosecution. The complaint also included an allegation that the arrest was racially biased; however, the reporting party stated in his intake that he did not believe that to be true. The allegation of conformance to laws was determined to be unfounded, and the allegation of racial bias was dismissed.
8. A reporting party contacted an EPD supervisor and stated that her juvenile son had informed her that an EPD employee had been involved in a physical dispute, causing injury. The criminal investigation was performed by Oregon State Police, who were unable to uncover evidence to support the allegation. An administrative investigation followed; while the investigation was thorough, the alleged victim declined to participate in the investigation. Insufficient evidence was found to either support or deny the allegation.
9. The reporting party complained that, a year and a half before the complaint, he witnessed an EPD employee smoking marijuana. The employee was no longer an EPD employee, and the complaint was not considered to be timely. The Auditor therefore dismissed the complaint.
10. EPD received a report that an employee was being investigated for a crime, with the investigation being performed by Oregon State Police. The Lane County District Attorney's office reviewed the investigation and declined to file charges. An administrative investigation followed, during which the employee resigned.

Misconduct

In 2013, the Auditor's office received 32 complaints (from both internal and external sources) alleging serious misconduct. Most allegations were related to issues of conduct or uses of force, followed by constitutional rights, performance, and courtesy (in decreasing order). Allegations of misconduct are investigated by Internal Affairs sergeants, and the Auditor's office participates in and oversees those investigations. The 32 complaints alleging serious misconduct included 65 specific alleged policy violations by EPD employees.



* In the graph above, only the primary allegation is indicated.

14 of the 32 complaints were sustained – about 44% of the complaints. This is an increase from previous years – our sustained rate in 2011 was 30%, and the sustained rate for 2012 was 29%. Only one complaint was dismissed (an alternate remedy was found to be the more proper forum for the complaint), which continues our trend from 2012, when only two complaints were dismissed (down from 17 complaints dismissed in 2011). This is likely a further reflection of our preliminary investigations and classification processes.

The following table and graph illustrate in further detail the types of allegations we received in 2012 and their outcomes (instead of addressing only the primary allegation). The primary allegation is designated within the Internal Affairs database that we share with EPD, using the primary of what may be several allegations against several officers.

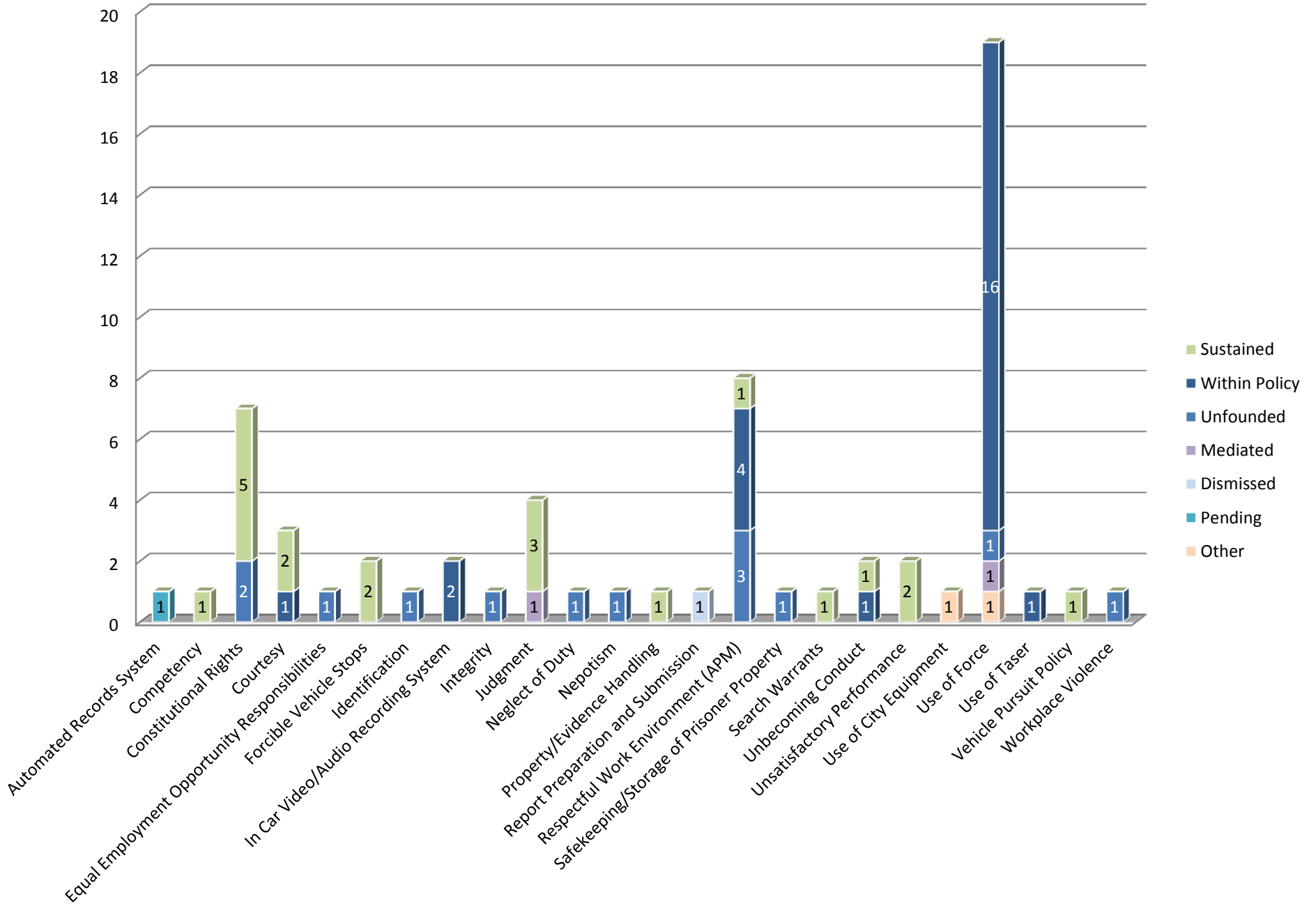
Table 3. 2013 Specific Allegations

| | # of Allegations | Dismissed | Mediated | Unfounded | Within Policy | Insufficient Evidence | Sustained | Pending | Other |
|---|------------------|-----------|----------|-----------|---------------|-----------------------|-----------|----------|----------|
| Automated Records System | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Competency | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Constitutional Rights | 7 | 0 | 0 | 2 | 0 | 0 | 5 | 0 | 0 |
| Courtesy | 3 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 |
| Equal Employment Opportunity Responsibilities | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Forcible Vehicle Stops | 2 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 |
| Identification | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| In Car Video/Audio Recording System | 2 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 |
| Integrity | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Judgment | 4 | 0 | 1 | 0 | 0 | 0 | 3 | 0 | 0 |
| Neglect of Duty | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Nepotism | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Property/Evidence Handling | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Report Preparation and Submission | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Respectful Work Environment (APM) | 8 | 0 | 0 | 3 | 4 | 0 | 1 | 0 | 0 |
| Safekeeping/Storage of Prisoner Property | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Search Warrants | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Unbecoming Conduct | 2 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 |
| Unsatisfactory Performance | 2 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 |
| Use of City Equipment | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1* |
| Use of Force | 19 | 0 | 1 | 1 | 16 | 0 | 0 | 0 | 1** |
| Use of Taser | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| Vehicle Pursuit Policy | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Workplace Violence | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 64 | 1 | 2 | 13 | 25 | 0 | 20 | 1 | 2 |

* Employee resigned during investigation.

** Employee was terminated during his probationary period.

2013 Specific Allegations and Disposition

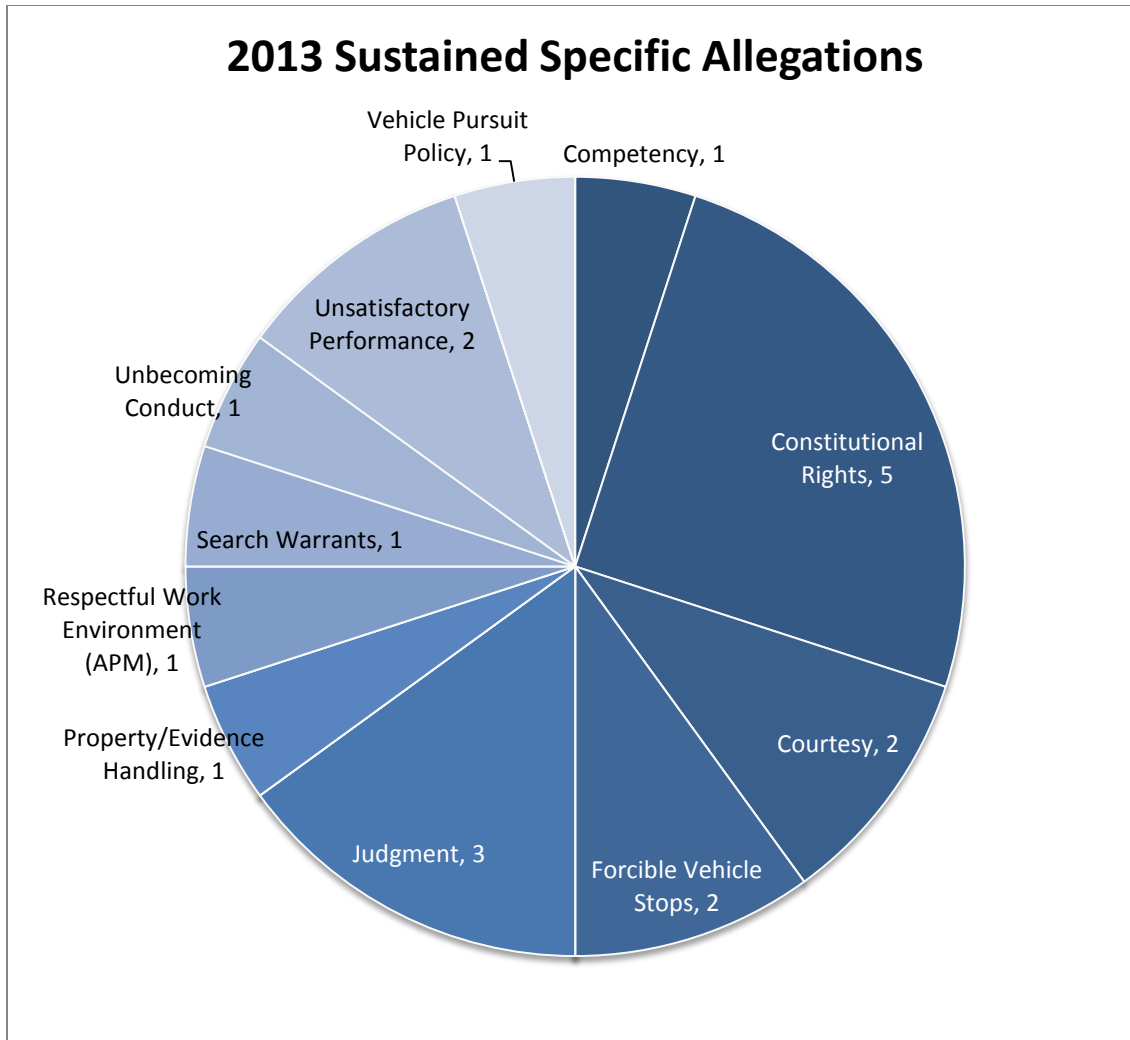


A significant number of our complaints are related to EPD uses of force (11 complaints, constituting 19 specific uses of force and 1 use of the Taser). This was actually a very low portion of EPD's reportable uses of force (130 use of force incidents between April 15 and December 31).

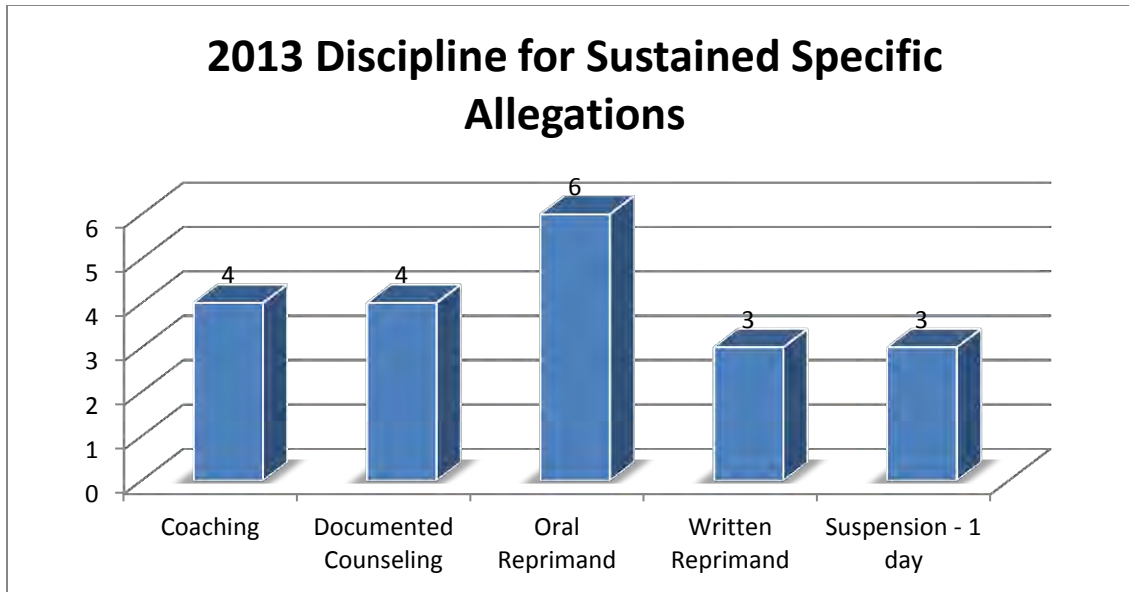
The highest number of specific sustained allegations were for violations of the EPD policies concerning constitutional rights and judgment (5 and 3, respectively). The EPD policy on constitutional rights currently states that EPD employees must respect the constitutional rights of the people they come in contact with; the policy manual is in the process of being updated to include specific policies on search and seizure and bias policing (two of the main areas of constitutional rights-related complaints we receive). Tracking of incidents governed by those policies will become clearer once those policies have been implemented. Currently, a violation of the constitutional rights policy may include arrest without probable cause, a warrantless entry to a home without an applicable exception to the warrant requirement, or a stop without specific, articulable facts establishing reasonable suspicion. While a violation of the current constitutional rights policy could theoretically include an incident of discriminatory policing, it is worth noting that none of the sustained policy violations were incidents of discriminatory policing. Three of the five sustained violations of the constitutional rights policy stemmed from one incident where involved employees arrested people for trespassing without probable cause. When discriminatory policing is the basis of a complaint, often there is a nexus to another alleged policy violation, such as a pat-down search or detention without reasonable suspicion.

Regarding the judgment allegations, EPD policy requires that employees use good judgment at all times; "good judgment" is determined using a standard of a reasonable employee in similar circumstances.

In addition to the above, violations of the following policies were sustained: competency, courtesy, forcible vehicle stops, property/evidence handling, respectful work environment, search warrants, unbecoming conduct, unsatisfactory performance, and the vehicle pursuit policy. All of these policies may be found online on the City's website.



Discipline for specific sustained allegations varied. The purview of our office is limited to the investigatory process; we are excluded from commenting on discipline of EPD employees. However, in the interests of transparency, discipline information is provided below.



In addition to the above, one employee was subject to probationary termination, following a criminal investigation. Another employee resigned during the investigation into an alleged violation of the policy governing use of City equipment.

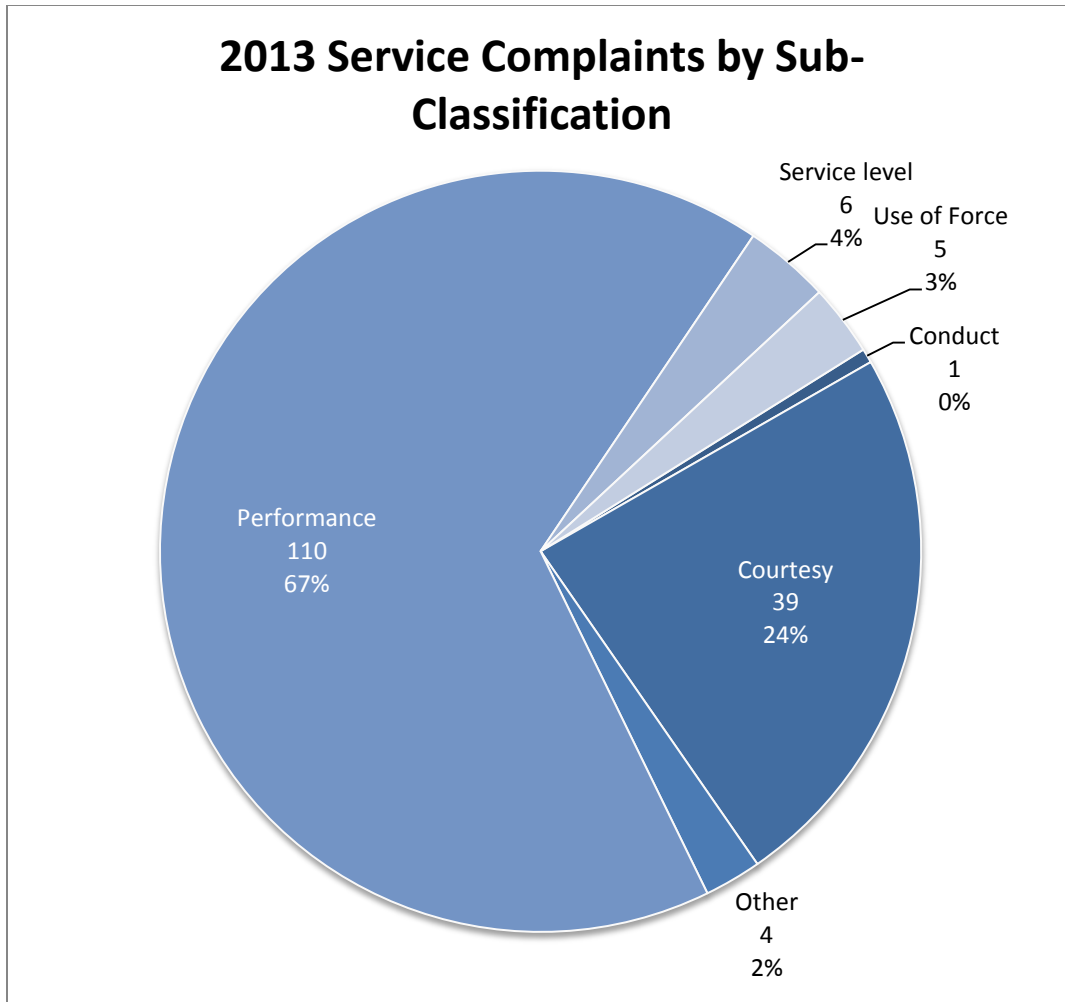
Allegations were distributed among 13 employees, or 4.3% of EPD employees. One employee had 4 specific sustained allegations, and another had three. Two other employees had two sustained allegations each.

Table 4. EPD Employees with Sustained Allegations of Misconduct

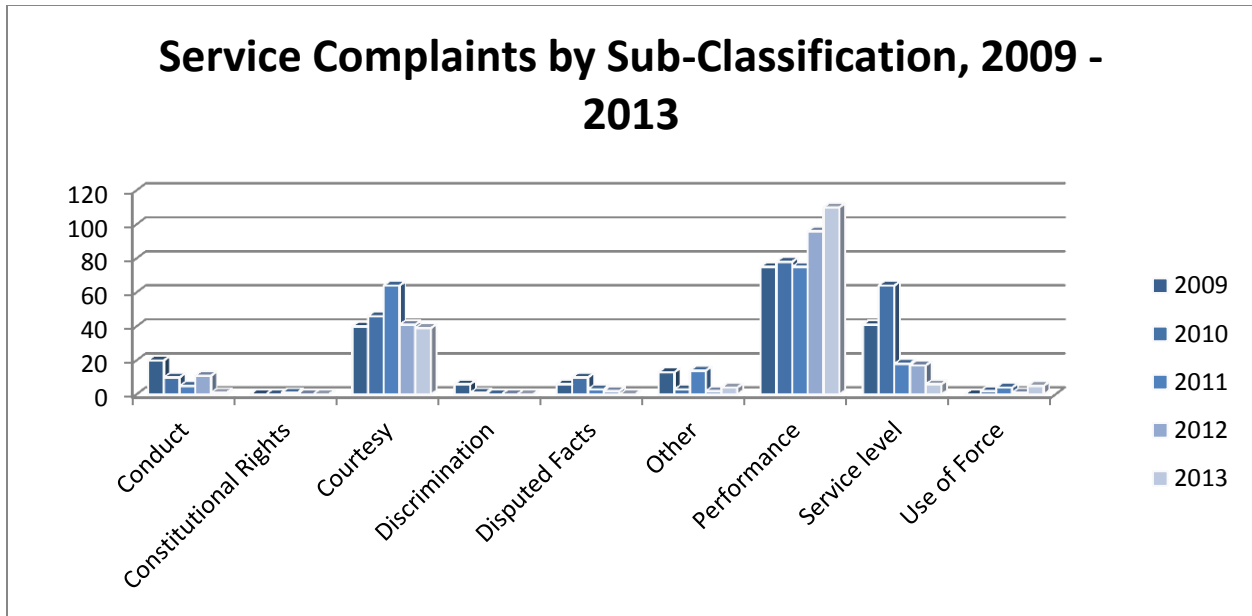
| # of Sustained Policy Violations | # of EPD Employees | % of EPD Employees |
|----------------------------------|--------------------|--------------------|
| 4 | 1 | 0.0% |
| 3 | 1 | 0.0% |
| 2 | 2 | 0.1% |
| 1 | 9 | 3.0% |

Service Complaints and Surveys

Service complaints, policy complaints, and inquiries are handled in a different manner than allegations of criminal conduct or misconduct. Service complaints are complaints “about police employee performance or demeanor, customer service and/or level of police service.” E.C.C. § 2.452. Generally, service complaints are referred to the supervisor of the involved officer(s) for follow up with both the complainant and the involved officer(s). The supervisor will write a memo detailing their review of the complaint and contact with the involved parties, which the Auditor’s Office reviews for completeness and thoroughness. The Auditor’s Office then contacts the complaining party for a follow up survey.



The majority of service complaints were related to performance or courtesy. Our service level and conduct complaints have continued to decrease, although performance complaints have increased over the past year (from 96 in 2012, or 56% of service complaints). Courtesy complaints have remained relatively steady, with a slight decrease from the 41 received in 2012.



Service Complaint Surveys

In 2013, we received 48 returned surveys (at least partially filled out) from 165 service complaints, for a response rate of 29.1%. This was our highest response rate since we began tracking our surveys:

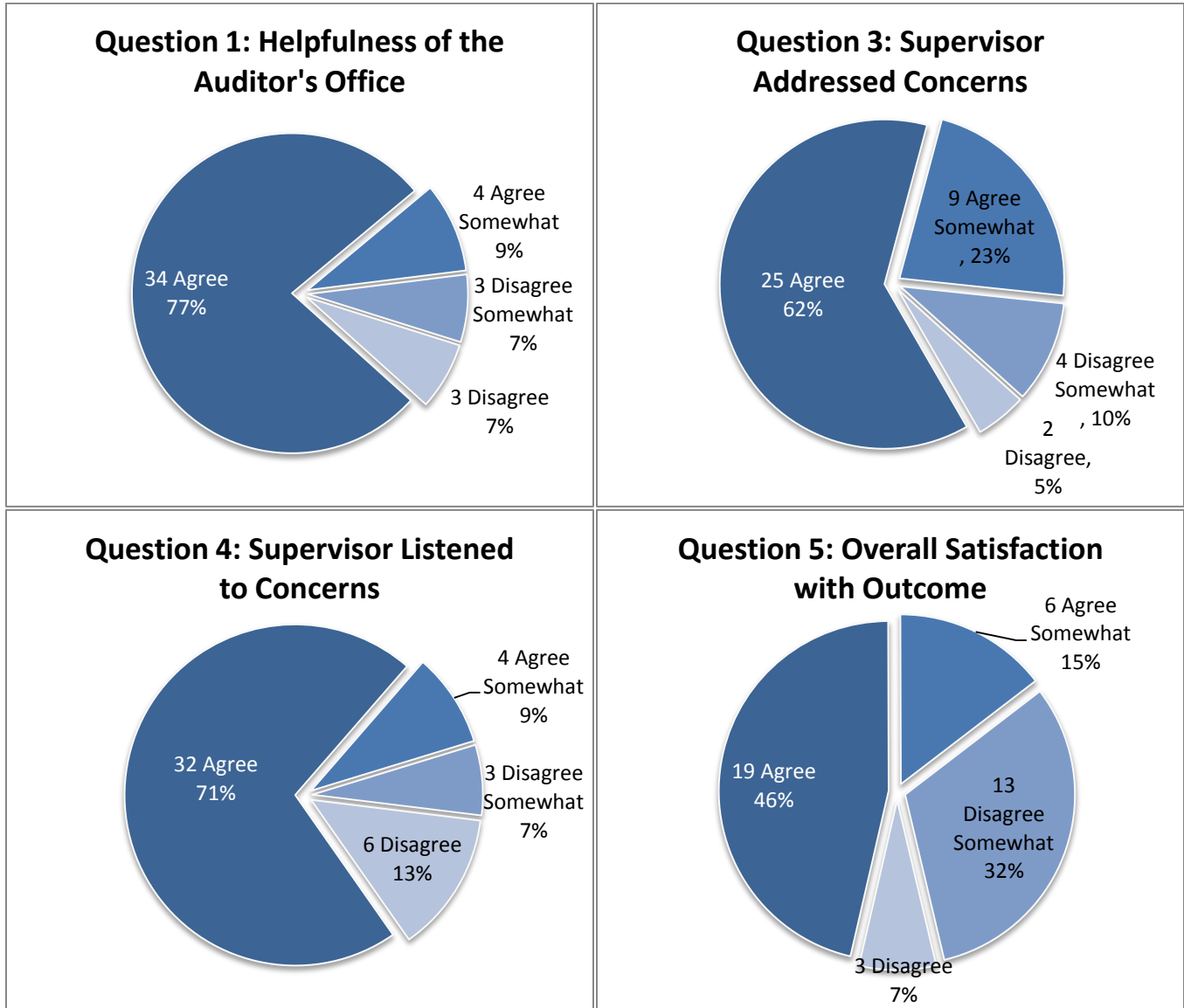
| Year | Survey Response Rate | # of Returned Surveys |
|------|----------------------|-----------------------|
| 2010 | 21.5% | 46 of 214 |
| 2011 | 23.9% | 44 of 184 |
| 2012 | 21.8% | 37 of 170 |
| 2013 | 29.1% | 48 of 165 |

The questions on the surveys are as follows:

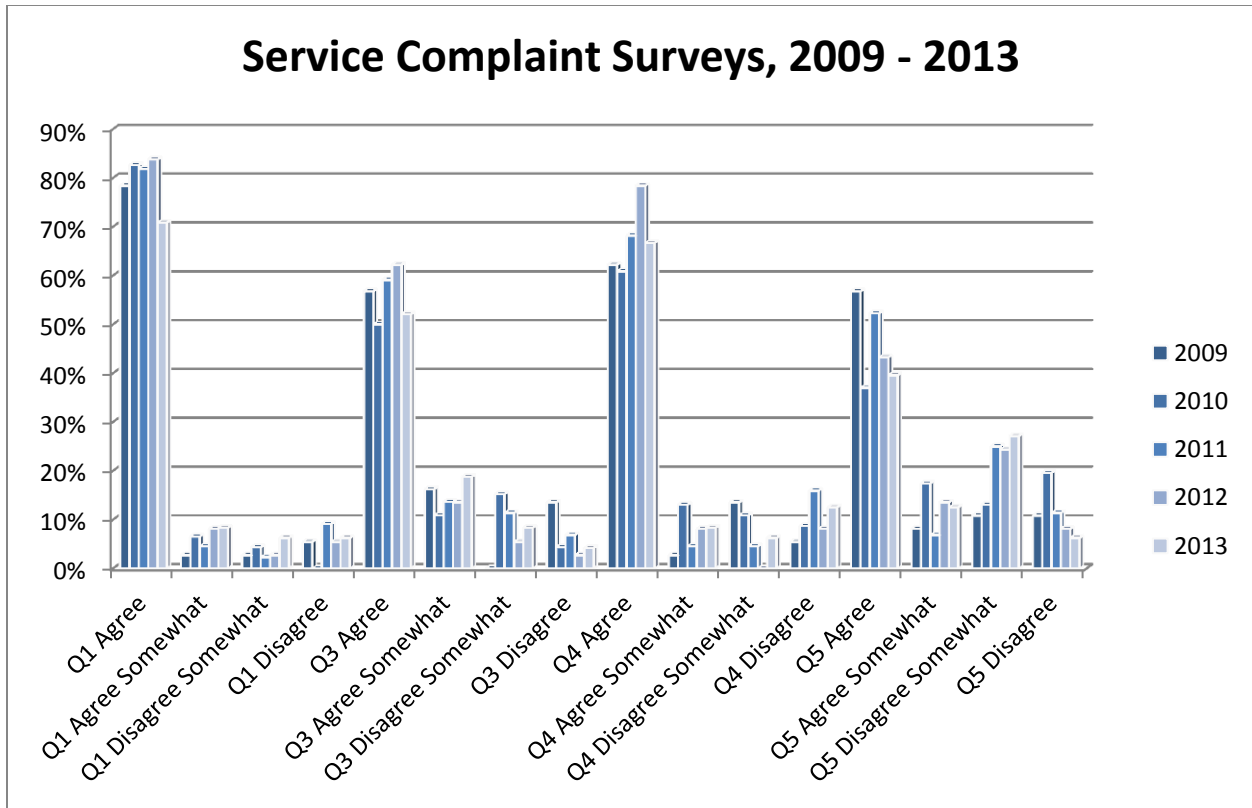
- 1) Staff member(s) at the Office of the Police Auditor was/were helpful in taking my complaint.
- 2) Were you contacted by the EPD employee’s supervisor?
- 3) If yes to #2, my concerns were addressed by the supervisor.
- 4) The supervisor listened to my concerns.
- 5) I am satisfied with the outcome of the complaint investigation.
- 6) Would you have preferred to speak with the involved officer rather than the supervisor?

Questions #1, #3, #4, and #5 are answered with a ranking: Agree, Agree Somewhat, Disagree Somewhat, and Disagree. Question #2 is a yes or no question. We received 38 “Yes” answers (79.2%) and nine “No” answers. Five of those “No” respondents later indicated that they had spoken with a supervisor. In three cases, the supervisor made all reasonable attempts to contact the reporting party but was unsuccessful. In one case, the supervisor had contacted the reporting party at the scene of the incident that gave rise to the complaint.

Question #6 was added to the survey during 2011; it is a yes or no question and includes a space for comments. Of the 44 surveys that answered this question, 12 indicated that they would have liked to speak with the involved officer (whether in addition to or instead of speaking with the supervisor).



In 2013, 86% of respondents agreed or somewhat agreed that the Auditor’s Office was helpful in taking their complaint (Question 1). This is a slight decrease from 2012 (92% of respondents answering accordingly), but is in line with the response from 2011 (89%). Overall satisfaction with the process (Question 5) also decreased slightly, to 61% from 64% in 2012; again, the 2013 rate was similar to historical numbers (62% in 2011 and 2010).



Policy Complaints and Inquiries

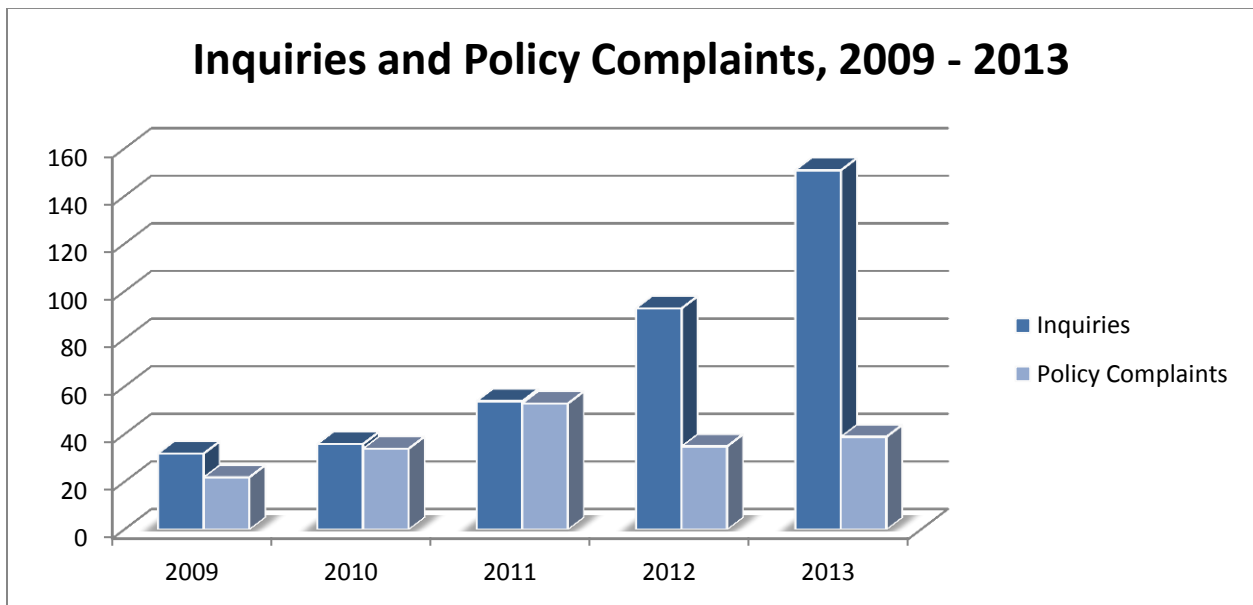
Complaints are classified as policy complaints where the complainant “is dissatisfied with current policies or established procedures.” Civilian Oversight Protocols, Classification of Complaints 1.d. These complaints are referred to either a supervisor (where appropriate) or an Internal Affairs sergeant. For example, a policy complaint may be investigated by a supervisor where a particular officer, division, or program is the focus of the complaint. Similar to a service complaint, the investigator will contact the complainant, as well as any involved officer(s), and write a memo detailing their resolution of the complaint. The Auditor’s office reviews the memo and follows up with the complaining party.

A complaint may be classified as an inquiry where it involves a “question about the propriety of an employee’s actions or a department policy, procedure, or regulation in a manner which indicates dissatisfaction, but which does not necessarily constitute or imply an allegation of misconduct.” EPD Police Operations Manual (POM) 1102-3, Part I.A.1. An inquiry may be investigated by a supervisor, Internal Affairs sergeant, or the Internal Affairs coordinator, as appropriate. The Auditor’s Office is kept informed regarding the progress of inquiries and will contact the reporting party with a resolution.

Policy complaints increased nominally in 2013, from 35 in 2012 to 39 in 2013. However, given the increased number of complaints, this actually constituted a decrease in the percentage of complaints received that were classified as policy complaints (from 10.3% to 9.8%). Inquiries, on the other hand,

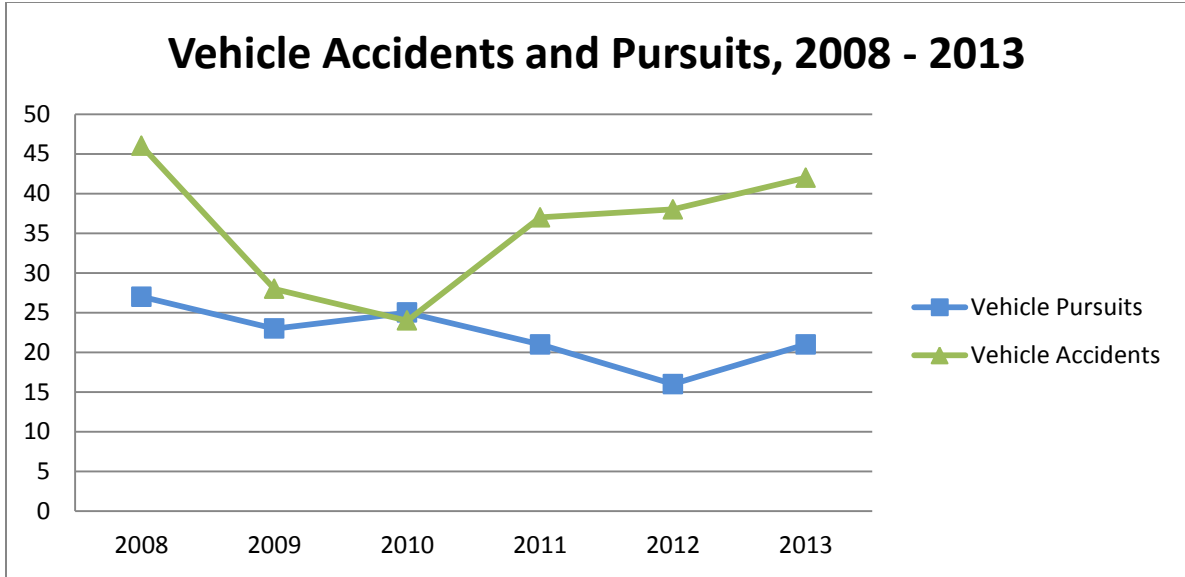
increased from 93 in 2012 to 151 in 2013 (or 27.3% of complaints in 2012 to 37.9% of complaints in 2013). This is likely related to our evolving classification process; our office has continued to focus on improving preliminary investigations of complaints, and often complaints are classified as inquiries until the preliminary investigation has developed. Often, inquiries will be reclassified to allegations, service complaints, or policy complaints depending on what is discovered in the preliminary investigation.

This theory is supported by the sharp decrease in dismissed allegations over the past few years. In 2011, 15 specific allegations of misconduct (from several different complaints) were dismissed for various reasons. In 2012, only 2 specific allegations were dismissed; in 2013, that number decreased again to only 1.



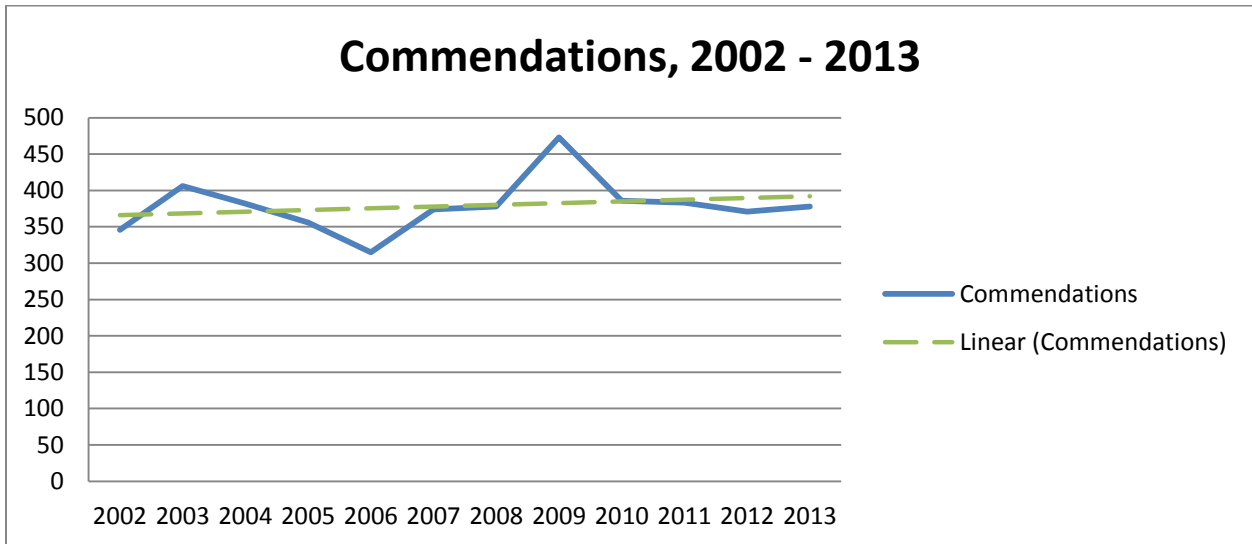
Vehicle-Related Incidents

Vehicle pursuits and accidents increased in 2013. Pursuits increased from 16 in 2012 to 21 in 2013 (a return to 2011 levels and an increase of 31%). Accidents increased 10.5%, with 42 accidents in 2013 compared to 38 in 2012.

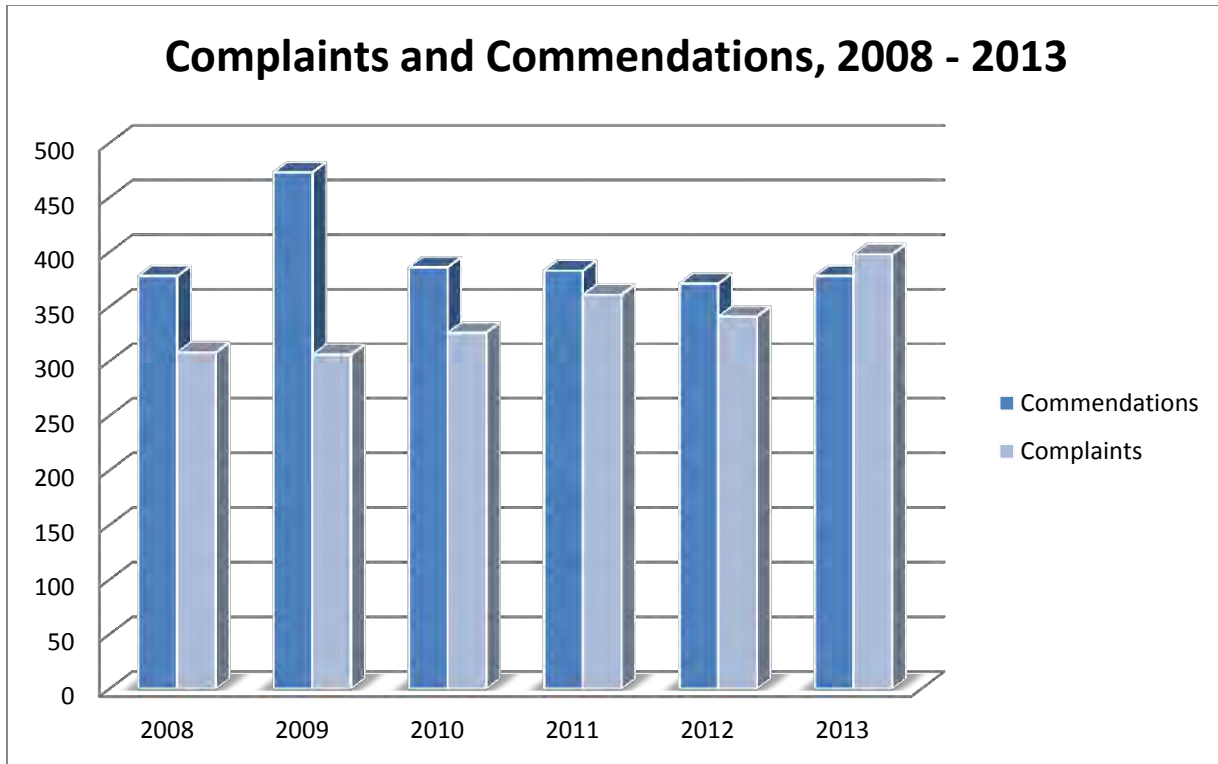


Commendations

The Auditor’s Office and EPD continue to intake commendations, a total of 378 in 2013. This was a nominal increase from the 371 we received in 2012 (an increase of 2%).



2013 was the first year in which we received more complaints about EPD than commendations.



Community Impact Cases

The Auditor did not receive any complaints in 2013 that were designated as a community impact case.

Critical Incidents

There were two critical incidents in 2013: a use of force that initially appeared to be a possible use of deadly force, and an officer-involved shooting. The Auditor’s Office was notified of each incident in a timely manner and responded to the scene of both incidents. Our office was also invited to participate in the Deadly Force Review Board meetings which were convened to analyze the incidents. In both incidents, the uses of force were found to be within policy.

2013 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 | Total *** | |
| RP complained that an officer made him perform a field sobriety test repeatedly until he failed and during the pat down touched him inappropriately. Dismissed: Alternate Remedy - no evidence of inappropriate pat down. | Allegation of Misconduct: Conduct | N/A - Dismissed | | | 1/7/2013 | | | 1/17/2013 | | | |
| | | | | | Timeframe: | N/A | N/A | N/A | N/A | | |
| 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 | Total | |
| RPs were concerned about the way they were treated by officers when stopped by officers on the way to their car after shopping at Wal-Mart. They felt that the stop may have been related to their race. Unfounded by CRB. | Allegation of Misconduct: Constitutional Rights/Discrimination | 1101.1.B.6 Constitutional Rights | UF | UF | UF | 1/28/13 | 3/27/13 | 4/16/13 | 4/24/13 | | Yes |
| | | 1101.1.B.6 Constitutional Rights | UF | UF | UF | | | | | | |
| | | Timeframe: | | 59 | 19 | 8 | 78 | | | | |
| 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 | Total | |
| Internal: That an officer removed an impounded motorcycle and boat from the impound lot without authorization or notification to his supervisor to maintain and store for safekeeping prior to auction. | Allegation of Misconduct | 301.2 Property and Evidence Handling | S | S | S | 1/30/13 | 4/4/13 | 5/16/13 | 9/17/13 | | Yes |
| | | Allegation of Misconduct | 1101.1.B.17 Judgment | S | S | S | | | | | |
| | | Timeframe: | | 64 | 42 | 121 | 106 | | | | |

-95-

| 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 | Total | | | | | | |
| Communication Personnel were reported to have violated the City of Eugene's Respectful Work Environment policy. Investigation was conducted by the City of Eugene Human Resources Department. | Allegation of Misconduct: Conduct | AMP 1.4 Respectful Work Environment | | N/A | WP | 1/31/13 | N/A | N/A | 5/31/13 | | No | | | | | |
| | | AMP 1.4 Respectful Work Environment | | N/A | WP | | | | | | | | | | | |
| | | | | | | | | | | | | Timeframe: | N/A | N/A | N/A | N/A |
| | | | | | | | | | | | | | | | | |
| 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 | Total | | | | | | | |
| RP alleged that officers used excessive force when he was arrested. The force used was body force, focus blows and a verbal threat of Taser use. | Allegation of Misconduct: Use of Force | 901.1 Use of Force | WP | WP | WP | 1/31/13 | 3/19/13 | 4/8/13 | 4/15/13 | | No | | | | | |
| | | 601.4 Safekeeping of Prisoners Property | UF | UF | UF | | | | | | | | | | | |
| | | 901.1 Use of Force | WP | WP | WP | | | | | | | | | | | |
| | | 901.1 Use of Force | WP | WP | WP | | | | | | | | | | | |
| | | | | | | | | | | | | Timeframe: | 49 | 19 | 7 | 68 |
| | | | | | | | | | | | | | | | | |

| 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 | Total | |
| RP, a former EPD civilian employee, alleged a hostile work environment (with HR). | Allegation of Misconduct: Conduct | APM 1.1 Equal Employment Opportunity Responsibilities | UF | UF | UF | 2/5/13 | 7/10/13 | 8/16/13 | 8/16/13 | | |
| | | APM 1.4 Respectful Work Environment | UF | UF | UF | | | | | | |
| | | APM 3.2 Nepotism | UF | UF | UF | | | | | | |
| | | APM 1.4 Respectful Work Environment | UF | UF | UF | | | | | | |
| | | APM 1.4 Respectful Work Environment | S | UF | S | | | | | | |
| | | APM 15.2 Workplace Violence Policy | UF | UF | UF | | | | | | |
| | | Timeframe: | | | | | | | | | |
| 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 | Total | | |
| Internal: A supervisor became aware that an officer may have been involved in a road rage incident while off duty. | Allegation of Criminal Misconduct | 1101.1.B.5 Conformance to Laws | UF | N/A | UF | 2/7/13 | 3/14/13 | 4/16/13 | 5/3/13 | | No |
| | | | Timeframe: | | | | | 37 | 32 | 17 | 69 |

| 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 | Total | |
| Internal Allegation: Competency: It is alleged that an Officer's report did not accurately describe his interaction with a Suspect. That the officer demonstrated poor judgment when he failed to recognize discrepancies between his report and the ICV. | Allegation of Misconduct: Performance | 1101.1.B.7 Judgment | S | S | S | 2/12/13 | 7/19/13 | 8/21/13 | 1/30/14 | | No |
| | | 1101.1.B.8 Competency | S | S | S | | | | | | |
| | | 401.1 Report Preparation and Submission | Dismissed | Dismissed | Dismissed | | | | | | |
| | | | | | | | | | | | |
| | | | | | Timeframe: | 157 | 32 | 159 | 189 | | |
| 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 | Total | |
| RP alleged that an officer assaulted her while she was being transported to jail. Dismissed by Auditor- Lack of credible evidence. | Allegation of Criminal Misconduct: Conformance to LAWS | N/A - Dismissed | | | | 2/25/13 | | | 3/22/13 | | No |
| | | | | | | Timeframe: | N/A | N/A | N/A | N/A | |
| 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 | Total | |
| RP alleged that officers used excessive force during the arrest of his friend, that his friend was civil resisting and not actively resisting and that 3 officers used their tasers, that his friend never turned the taser back on officers, and that his friend was taken away without officers seeking a medic's help. | Allegation of Misconduct: Use of Force | 901.1 Use of Force | WP | N/A | WP | 2/28/13 | 6/13/13 | 7/30/13 | 9/17/13 | | No |
| | | 309.4 Use of the Taser | WP | N/A | WP | | | | | | |
| | | 901.1 Use of Force | WP | N/A | WP | | | | | | |
| | | 309.4 Use of the Taser | WP | N/A | WP | | | | | | |
| | | | | | | | | | | | |
| | | | | | Timeframe: | 103 | 47 | 47 | 150 | | |

| 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 | Total | |
| RP alleged that he was struck from behind by police with something hard that split his head, which required stitches. He declined medical treatment but was taken and then left at the hospital. His personal documents were taken. | Allegation of Misconduct: Use of Force | 901.1 Use of Force | WP | WP | WP | 3/1/13 | 5/20/13 | 8/1/13 | 9/6/13 | | No |
| | | 901.1 Use of Force | WP | WP | WP | | | | | | |
| | | 901.1 Use of Force | WP | WP | WP | | | | | | |
| | | | | | | | | | | | |
| Timeframe: | | | | | | 79 | 71 | 35 | 150 | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| 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 | Total | | |
| Anonymous complaint that an Officer created a hostile work environment. | Allegation of Misconduct: Conduct | APM. 1.4 Respectful Work Environment | UF | UF | UF | 3/11/13 | 4/16/13 | 5/9/13 | 5/21/13 | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| Timeframe: | | | | | | 35 | 23 | 12 | 58 | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| 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 | Total | | |
| RP was concerned that when she called 911 for a medical emergency involving her 5 year old son no ambulance was dispatched. | Allegation of Misconduct: | 1101.1.B.9 Unsatisfactory Performance | S | S | S | 3/8/13 | 4/18/13 | 5/1/13 | 5/31/13 | | No |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| Timeframe: | | | | | | 40 | 13 | 30 | 53 | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |

| 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 | Total | | |
| Allegations that three employees at Property Crimes Unit failed to perform in a satisfactory manner. | Allegation of Criminal Misconduct | PENDING | | | | | | | | | | |
| Summary of Complaint | Auditor's Classification | POM Violations | EPD Chain of Command | Auditor | Chief | Intake | IA Report | Adjudication | Closed | Total | CRB Review? | |
| Officer is alleged to be using unprescribed medication. Case Closed: Retired during investigation. | Allegation of Criminal Misconduct | 1101.1.B.5 Conformance to Laws | N/A - Employee retired | | | 3/14/13 | 7/23/13 | N/A | 7/23/13 | | No | |
| | | 1101.1.B.27 Use of Intoxicants and Medications | | | | | | | | | | |
| | | | | | | Timeframe: | 129 | N/A | N/A | N/A | | |
| Summary of Complaint | Auditor's Classification | POM Violations | EPD Chain of Command | Auditor | Chief | Intake | IA Report | Adjudication | Closed | Total | CRB Review? | |
| Internally reported complaint that officers arrested several people sleeping under a bridge for criminal trespass when instead they should have been cited for prohibited camping. | Allegations of Misconduct | 1101.12.B.6 Constitutional Rights | S | N/A | S | 4/6/13 | 6/5/13 | 7/3/13 | 8/1/13 | | No | |
| | | 1101.12.B.6 Constitutional Rights | S | N/A | S | | | | | | | |
| | | 1101.12.B.6 Constitutional Rights | S | N/A | S | | | | | | | |
| | | | | | | Timeframe: | 59 | 28 | 28 | 87 | | |

| 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 | Total | |
| RP alleged that either Cahoots, EPD, or hospital personnel took 300 dollars from his wallet. Dismissed: unfounded after criminal investigation | Allegation of Criminal Misconduct | 1101.1.B.5 Conformance to Laws | N/A - Dismissed | | | 4/8/13 | | | 6/7/13 | | No |
| | | | | | | Timeframe: | N/A | N/A | N/A | N/A | |
| | | | | | | | | | | | |
| 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 | Total | | |
| Internal: Allegation that a Sgt. tried to persuade an officer to amend his report to reflect that in incident was an accident rather than intentional. | Allegation of Misconduct | 1101.1.B.16 Integrity | UF | UF | UF | 4/11/13 | 6/11/13 | 7/17/13 | 8/15/13 | Yes | |
| | | 1101.1.B.17 Judgment | S | S | S | | | | | | |
| | | | | | | Timeframe: | 60 | 36 | 28 | | 96 |
| 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 | Total | | |
| Allegation that an officer had assaulted a woman while doing a courtesy transport. Additional allegations regarding leaving the person without adequate care, running an AIRS check without a law enforcement purpose, turning off ICV too soon, attempting to establish a personal relationship during ongoing criminal investigation. | Allegation of Criminal Misconduct | 1101.1.B.5 Conformance to Laws | UF | UF | UF | 4/28/13 | 8/23/13 | 9/20/13 | 10/24/13 | Yes | |
| | | 1101.1.B.9 Unsat. Performance | S | S | S | | | | | | |
| | | 1101.1.B.9 Unsat. Performance | S | S | S | | | | | | |
| | | 1101.1.B.17 Judgment | S | S | S | | | | | | |
| | | 201.4 Automated Records System | UF | S | S | | | | | | |
| | | 301.4 Performance In-Car Video | S | S | S | | | | | | |
| | | | | | | | | | | | Timeframe: |

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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 | Total | |
| An officer's relative alleged that there was a physical altercation between the two of them in 2008. | Allegation of Criminal Misconduct | 1101.1.B.5 Conformance to Laws | UF | N/A | UF | 5/3/13 | 10/10/13 | 10/23/13 | 10/26/13 | | No |
| | | | | | | Timeframe: | 157 | 13 | 3 | 170 | |
| 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 | Total | |
| Internal: Allegation that a call taker sent a single engine company to a vehicle fire when a full first alarm should have been sent. | Allegation of Misconduct | 1101.1.B.9 Unsatifactor y Performance | S | S | S | 5/7/13 | 6/7/13 | 6/26/13 | 8/29/13 | | No |
| | | | | | | Timeframe: | 30 | 19 | 63 | 49 | |
| 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 | Total | |
| RP alleged an officer used excessive force, striking her on the outer extremities and face with his fists in violation of EPD policy. | Allegation of Misconduct | 901.1 Use of Force | WP | WP | WP | 6/4/13 | 9/5/13 | 9/24/13 | 10/8/13 | | No |
| | | | | | | Timeframe: | 91 | 19 | 14 | 110 | |

| 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 | Total | |
| RP complained that officers are harassing him because he is of Asian descent and that after his arrest some of his money is missing. Subject had several arrests for drug trafficking in the downtown area. Administrative investigation was dismissed following the criminal investigation. | Allegation Of Criminal Misconduct Allegation of Misconduct Dismissed by Auditor | 1101.1.B.5 Conformance to Laws | | | UF | 6/3/13 | N/A | N/A | 11/15/13 | | No |
| | | 1101.1.B.6 Constitutional Rights/Discrimination | N/A - Dismissed | | | | | | | | |
| | | 1101.1.B.6 Constitutional Rights/Discrimination | | | | | | | | | |
| | | | | | | Timeframe: | N/A | N/A | N/A | N/A | |
| 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 | Total | | |
| Allegation that an officer used profanity toward a woman during a domestic dispute investigation. | Allegation of Misconduct: Courtesy | 1101.1.B.7 | WP | N/A | WP | 6/5/13 | 9/17/13 | 10/25/13 | 11/15/13 | | No |
| | | | | | | | | Timeframe: | 102 | 38 | |
| 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 | Total | | |
| Internal: An officer reported to his supervisors that another officer had used derogatory terms about a group of African Americans they had passed in their patrol vehicle. Officer resigned prior to completion of closing process. | Allegation of Misconduct: | 1101.B.25 Unbecoming Conduct | S | S | S | 6/8/13 | 7/10/13 | 8/14/13 | 9/4/13 | | Yes |
| | | 1101.1.B.7 Courtesy | S | S | S | | | | | | |
| | | | | | | | | Timeframe: | 32 | 34 | |

| 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 | Total | |
| Internal: information was received that an officer was involved in a domestic violence dispute. | Allegation of Criminal Misconduct | 1101.1.B.5 Conformance to Laws | IE | N/A | IE | 6/28/13 | 10/4/13 | 10/22/13 | 10/24/13 | | No |
| | | | | | | Timeframe: | 96 | 18 | 2 | 114 | |
| 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 | Total | |
| Internal: A Lieutenant ordered another officer to launch less lethal rounds into a residence in response to a barricaded suspect. | Allegation of Misconduct | 1101.1.B.6 Constitutional Rights | S | S | S | 7/18/13 | 9/18/13 | 10/19/13 | 11/25/13 | | No |
| | | | | | | Timeframe: | 60 | 31 | 36 | 91 | |
| 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 | Total | |
| RP complained that an officer used excessive force against her in the booking room of the jail during her arrest for DUUI. | Allegation of Misconduct | 901.1 Use of Force | WP | WP | WP | 7/24/13 | 9/11/13 | 10/4/13 | 10/7/13 | | Yes |
| | | | | | | Timeframe: | 47 | 23 | 3 | 70 | |
| 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 | Total | |
| RP alleged that an officer patted her down during a traffic stop that led to a tow. During a traffic stop officer patted down driver without reasonable suspicion that the person subjected to the frisk was armed and dangerous. | Allegation of Misconduct: Constitutional Rights | 1101.1.B.6 Constitutional Rights | S | S | S | 7/24/13 | 10/17/13 | 12/6/13 | 1/23/14 | | Yes |
| | | | | | | Timeframe: | 83 | 49 | 47 | 132 | |

| 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 | Total | |
| Auditor Initiated investigation into an incident in which an officer reacted to a bite on his hand by a 10 year old child (being return to custodial parent) by using an open palm to make contact with the child's forehead. | Allegation of Misconduct | 901.1 Use of Force | WP | WP | WP | 8/5/13 | 11/7/13 | 12/17/13 | 12/18/13 | | Yes |
| | | | | | | Timeframe: | 92 | 40 | 1 | 132 | |
| 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 | Total | | |
| Internal Allegation: Officer entered a locked room in a residence without a warrant on the ok of another resident who did not have authority to authorize the entry. | Allegation of Misconduct: Conduct | 304.4 Search Warrants | S | S | S | 9/9/13 | 10/22/13 | 1/7/14 | 1/15/14 | | No |
| | | | | | | Timeframe: | 43 | 75 | 8 | 118 | |
| 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 | Total | | |
| Internal Allegation that an officer initiated a vehicle pursuit in violation of EPD policy. | Allegation of Misconduct | 314 Vehicle Pursuit Policy | S | N/A | S | 9/20/13 | 11/13/13 | 1/14/14 | 2/25/14 | | No |
| | | | | | | Timeframe: | 53 | 61 | 41 | 114 | |
| 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 | Total | | |
| Internal: Officers working on an interagency DUII patrol attempted to stop a speeding motorcycle which continued on without eluding, officers attempted a box in technique to verify the motorist had noticed the officers were trying to stop him. | Allegation of Misconduct | 1401.3.E Forcible Vehicle Stops | UF-Sgt UF-Lt S-Cpt. | S | S | 9/20/13 | 11/18/13 | 12/10/13 | 1/31/14 | | No |
| | | 1401.3.E Forcible Vehicle Stops | UF-Sgt UF-Lt S-Cpt. | 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 | Total | |
| Auditor initiated Use of Force allegation: Officer delivered several closed fist punches to a suspect in custody to prevent active resistance. Case Closed: Employee failed probation. | Allegation of Misconduct | 901.1 Use of Force | N/A - Probationary employee terminated during criminal investigation | | | 9/20/14 | | | 1/15/14 | | No |
| | | | | | | Timeframe: | N/A | N/A | N/A | N/A | |
| | | | | | | | | | | | |
| 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 | Total | | |
| RP alleged that an officer used a flashlight to strike him in the abdominal area and directed profanity at him while escorting him from his seat at a sporting event. | Allegation of Misconduct | 901.1 Use of Force | UF | UF | UF | 10/30/13 | 12/31/13 | 2/14/14 | 3/5/14 | | Yes |
| | | 1101.1.B.7 Courtesy | S | S | S | | | | | | |
| | | 1101.1.B.31 Identification | 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 | Total | | |
| Internal Allegation: That an employee misused city equipment in violation of city policy. Investigation Closed: Employee resigned during investigation. | Allegation of Misconduct: Conduct | APM 4.7 | N/A - Employee resigned during investigation | | | 10/4/13 | | | 1/12/13 | | No |
| | | | | | | Timeframe: | N/A | N/A | N/A | N/A | |
| | | | | | | | | | | | |

| 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 | Total | |
| Allegation that an officer conducted a personal relationship while on duty and inappropriately accessed a secure facility. | Allegation of Misconduct: Conduct | 1101.1.B.25 Unbecoming Conduct | WP | WP | WP | 10/24/13 | 3/10/14 | 4/20/14 | 5/1/14 | | No |
| | | 1101.1.B.18 Neglect of Duty | UF | UF | UF | | | | | | |
| | | Timeframe: | | | | | 136 | 40 | 11 | 176 | |
| 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 | Total | | |
| Internal Allegation: That an employee may have abused a minor child. Assigned to OSP for Criminal/DA no charges filed. Closed: Employee resigned during internal investigation of another case involving use of equip. | Allegation of Misconduct: Conduct | 1101.1.B.5 Conformance to laws | N/A - Employee resigned during investigation | | | 10/21/14 | | | 1/15/14 | | No |
| | | Timeframe: | | | | | N/A | N/A | N/A | N/A | |
| 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 | Total | | |
| Internal: Use of Force Review Board. Review of an officer's use of force which included impact weapon, OC Spray and take down. Case investigated by IDFIT. | | 901.1 Use of Force | WP | WP | WP | 7/2/13 | N/A - Force Review Board | | 1/23/14 | | No |
| | | 901.2 Control Techniques | WP | WP | WP | | | | | | |
| | | 901.3 OC Spray | WP | WP | WP | | | | | | |
| | | 901.6 Use of Force Reporting | WP | WP | WP | | | | | | |
| | | Timeframe: | | | | | N/A | N/A | N/A | N/A | |

| 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 | Total | |
| RP alleged that he was bitten by a Police Dog under the direction of an EPD officer and that the officer gave no warning of the K-9 unit and that the officer did not call the dog off even though he was subdued. | Allegation of Misconduct | 901.1 Use of Force | WP | WP | WP | 11/13/13 | 1/14/14 | 1/31/14 | 2/13/14 | | No |
| | | | | | | Timeframe: | 61 | 17 | 13 | 78 | |
| 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 | Total | | |
| Use of Force Review Board: Deadly Force used by an officer. | Allegation of Misconduct: | 901.1 Use of Force | WP | N/A | WP | 11/20/13 | N/A - Force Review Board | | 2/28/14 | | No |
| | | 901.4 Police Firearms | WP | N/A | WP | | | | | | |
| | | 901.6 Use of Force Reporting | WP | N/A | WP | | | | | | |
| | | 309.4 Use of Taser | WP | N/A | 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 | Total | | |
| RP alleged that Officers used excessive force when he was unlawfully stopped while crossing the street. | Allegation of Misconduct | 901.1 Use of Force | WP | WP | WP | 11/7/13 | 1/16/14 | 3/21/14 | 3/31/14 | | No |
| | | 301.4 In Car Video | WP | WP | WP | | | | | | |
| | | 901.1 Use of Force | WP | WP | WP | | | | | | |
| | | 301.4 In Car Video | 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 | Total | | |
| Internal - Investigation is suspended, employee on extended leave. | Allegation of Misconduct: Conduct | 201.4 Automated Records System | | | | 11/15/13 | N/A - Pending | | | | | |
| | | | | | | Timeframe: | N/A | N/A | N/A | N/A | | |

* Adjudication recommendations are: Sustained = the complainant's allegation(s) was determined to be a violation of EPD policies, rules and/or procedures and, the employee(s) involved committed the violation(s) as alleged.
Sustained (S), Insufficient Evidence(IE), Insufficient Evidence = The chain of command was unable to determine whether or not a violation of EPD policies, rules, and/or procedures occurred.
Unfounded (UF), and Within Policy (WP). Unfounded = The claim is unsubstantiated - it was determined that the employee(s) involved did not engage in the behavior as alleged by the complainant.
Those terms are defined in Eugene's Civilian Oversight Protocols (2007): Within Policy = It was determined that the behavior of the employee(s) involved did occur but was consistent with EPD policies, rules, practices and/or procedures.

** Indicates the recommended adjudication from the highest ranking reviewer - in some cases, direct supervisor's recommendation may have been different.

*** Total time in Police Auditor's Office - from intake to adjudication (does not include time to notify employee, discipline, and close file).

2013 Service Complaints, Policy Complaints, and Inquiries

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|------------------------------------|--|---|
| 1/2/2013 | 2/8/2013 | 36 | Performance | RP was concerned that an officer confiscated an item she had placed on Craigslist, stating it had been stolen. RP was upset that that party had never reported the theft for 2 years prior and she had bought the item from a different party. RP felt this was a civil issue. | Sgt. reviewed the records of the officers actions and learned he had followed investigative policies in the situation. Sgt. spoke with RP about his findings |
| 1/3/2013 | 1/17/2013 | 14 | Performance | RP was upset that he could not get the officer or supervisor to return his calls about a theft of his laptop. | Lt. spoke with RP about the issue after learning that both officers had been out on vacation. He also spoke with officers about the importance of timely feed back. |
| 1/4/2013 | 1/25/2013 | 21 | Performance | RP was upset that a man who assaulted him was not charged during a call for service to EPD. | Sgt. reviewed files and learned that a relationship with a third party was involved and that the officer had determined it to be a mutual combative situation, but did not cite either party. Sgt. spoke with RP about his findings and the officers reasoning about the situation. |
| 1/8/2013 | 1/25/2013 | 17 | Inquiry | RP was concern about an incident in which officer came to his home with guns drawn. His fiancé had been showing a new shot gun to his sister in their own home near an open front window. Later an officer appeared at the door and began questioning her, after running the gun they told her everything was fine and left. | Sgt. learned that a 911 call had come from a neighbor who felt the gun had been pointed out the window and it scared her. Sgt. spoke with RP and explained the origin of the dispatch and why officer had come to their home. |
| 1/9/2013 | 1/24/2013 | 15 | Inquiry | Officer used less lethal munitions to break the window of a residence in which he believed a wanted suspect had entered. | Cpt. reviewed records and police reports and determined the use of less lethal was with in policy in this situation. |
| 1/9/2013 | 1/11/2013 | 2 | Inquiry Dismissed: Other | RP was upset that an officer shoed him from the alley where his friend had passed out. | Dismissed: Other/ no policy violation |
| 1/11/2013 | 2/19/2013 | 38 | Inquiry | RP was upset that a police action at the motel he manages was out of the norm with officers not contacting the onsite manager first. | Lt. was unable to find a dispatched call for EPD at the time and location. Action may have been initiated by another agency at another location. Lt. spoke with RP about his concerns. |
| 1/14/2013 | 2/11/2013 | 27 | Courtesy | RP was upset that an officer dispatched to take a stalking report yelled at her about approaching his car and getting into his face. | Sgt. spoke with officer about incident and learned that RP had invaded the officers personal space(within six inches of gun) and for safety reasons had tried to have RP move back. Sgt. spoke with RP about it and learned her perspective on the matter. Explained why officers need to have a little more personal space than the average person. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--|--|---|
| 1/14/2013 | 1/16/2013 | 2 | Inquiry Dismissed: Alternate Remedy | RP alleged that a retired officer used friends on the force to intimidate and harass her son, who was arrested for a crime. | Dismissed: Alternate Remedy |
| 1/14/2013 | 2/12/2013 | 28 | Performance | RP was upset with the time it took officers to respond to a call about a man harassing his employee and customers. RP also stated that when the officer arrived he seemed reluctant to arrest the suspect. | Sgt reviewed records and learned the time frame for response was much shorter than RP had believed. Sgt. spoke with RP explained the time frame and other issues involved. |
| 1/15/2013 | 2/4/2013 | 19 | Inquiry | RP was concerned about the customer service he received when he called about a woman who was panhandling and harassing customers of his business on his property. | Lt. reviewed records and learned that an armed dispute was taking place at the time of RP call and no officers were available. The woman had left by the time a patrol officer was free. Lt. spoke with RP about his concerns and the issues he is dealing with the homeless and vagrants who face no consequence for bad behavior. |
| 1/13/2013 | 1/16/2013 | 3 | Inquiry Dismissed: Alternate Remedy | RP spoke with the watch command about his displeasure at getting a ticket. | Dismissed: Alternate Remedy |
| 1/17/2013 | 2/28/2013 | 41 | Performance | RP was upset that when he called to update a theft report the officer told him it was a waste of his time and made judging comments he did not appreciate. | Sgt. spoke with officer involved who admitted that the call did not go well and self corrected to the Sgt. ways to have better handled the situation. RP did not return calls to Sgt. |
| 1/17/2013 | 2/14/2013 | 27 | Performance | RP was upset that EPD is ignoring crimes, when he reported his wallet stolen from a party no follow through happened with EPD looking at surveillance tapes etc. | Sgt. reviewed issue and found that a report was taken and follow through led to an arrest of the suspect in the case. RP did not return calls placed to him by the Sgt. |
| 1/17/2013 | 1/22/2013 | 5 | Inquiry Dismissed: Outside Jurisdiction | RP was concerned about an officer giving him a criminal citation for a misdemeanor offense. | Dismissed: Outside Jurisdiction |
| 1/17/2013 | 2/20/2013 | 33 | Performance | RP was upset that he can not seem to get EPD to help him solve the issue of a neighbor's barking dog that he has been calling about for the last 4 years. | Animal control coordinator spoke with officer about the situation who stated that they have tried working with RP, but existing laws make it hard to cite owners without proof of noise. Supervisor spoke with RP about the issue and noted RP was not willing at this time to try and record the incidents of the dogs barking. |
| 1/17/2013 | 1/28/2013 | 11 | Courtesy | RP was upset that on officer accused him of selling his own medication and then reporting it stolen to obtain more drugs. | Sgt. spoke with RP about his complaint and with the officers about how to approach such concerns with citizens. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--|--|--|
| 1/17/2013 | 2/4/2013 | 17 | Policy | RP complained that officers are watching her house and have been pulling over her friends and who have just left her home. RP feels this is harassment. | Lt. reviewed records of stops and learned there were multiple traffic violations and that the area was being patrolled as Data Led Policing efforts. RP did not return calls. |
| 1/21/2013 | 2/12/2013 | 21 | Performance | RP was upset about the service she had received from EPD about harassing phone calls she is receiving. | Sgt. reviewed records, learned that the issue is still being investigated, relayed that information to RP and listened to her concerns about the issue. |
| 1/21/2013 | 2/12/2013 | 21 | Inquiry | RP alleged Officer who arrested him put him in a choke hold after he tried to slam his head onto the patrol car, and that his God stick was missing from this property when he was released from the jail. | Sgt. spoke with a third party witness who said none of the use of force happened. The God stick was lodged in evidence as RP had been using it to hit signs and buildings in the area. Sgt. spoke with RP about the incident who could not remember details of the incident. |
| 1/23/2013 | 1/28/2013 | 5 | Performance | RP alleged that two officers who searched his truck trashed it and broke a light. | Sgt. spoke with officer and reviewed ICV which revealed no evidence of officers trashing or breaking RP's property. |
| 1/23/2013 | 1/25/2013 | 2 | Conduct Dismissed: Alternate Remedy | RP stated that she was cited for tinted windows and when she pulled out to leave her tires squealed. The officer than cited her again for excessive noise. | Dismissed: Alternate Remedy |
| 1/24/2013 | 2/7/2013 | 13 | Performance | RP alleged that he followed an EPD volunteer car that twice turned without signaling. | Coordinator spoke with those involved and learned that the driver did not believe he had not signaled, Coordinator reinforced the use of good driving habits. Coordinator emailed RP about findings. |
| 1/29/2013 | 2/26/2013 | 27 | Inquiry | RP alleged that on officer held him for over 2 hours questioning about a cell phone that was stolen from a Kiosk Valley River. | Sgt. reviewed the records and learned that the officer had probable cause to question RP from information received from the company. The officer was eventually able to review security footage with RP and released him when it showed another individual taking the phone. |
| 2/4/2013 | 3/1/2013 | 27 | Performance | RP alleged that on officer ran a red light at the corner of River Road and River Avenue and then proceeded to just pull over and do paperwork. | Sgt. spoke with the officer who did not recall the incident. Officer was reminded to be cognizant of the surroundings when driving. RP did not leave a name or contact number for follow up. |
| 2/4/2013 | 2/14/2013 | 10 | Courtesy | RP alleged that an officer was rude and confrontational with him when he came out of his home to see what was happening when an officer was giving his wife a ticket in their driveway. | Sgt. spoke with RP about the stop and then expressed RP's concern with the officer. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|---|--|---|
| 2/4/2013 | 3/4/2013 | 30 | Inquiry | RP alleged that an officer is on a witch hunt harassing his customers, talking to his bank and taking records all without a warrant. | Sgt. reviewed records and learned that an on going investigation into a case that came to EPD via the DA's office. Sgt. did not contact RP due to the on going nature of the case. |
| 2/5/2013 | 2/21/2013 | 16 | Use of Force | RP complained that the general state of EPD is poor and officers need more training. EPD officers stood by and allowed Sheriff Deputies to arrest him. On a separate incident an officer put a knee in his back while arresting him. | Sgt. was at the scene of incident and spoke with father who had thanked officers for their help with his son who was in mental health crisis. |
| 2/7/2013 | 2/14/2013 | 7 | Inquiry | RP was unhappy with the way an officer handled a situation with his wife and a woman who had been terrorizing passengers on a Greyhound bus. | Sgt spoke with the officer and learned that Greyhound had called with the specific passengers they wanted trespassed and he had not made that determination but was only the messenger. Sgt. contacted RP about the situation. |
| 2/7/2013 | 3/7/2013 | 30 | Inquiry | RP contacted the Auditor's Office about a couple of traffic stops involving his wife. He would like to talk to someone about the protocols of DUII tests, and FI cards. | Sgt. researched the records of the stops of RP's wife and contacted him to discuss his questions. |
| 2/7/2013 | 2/12/2013 | 5 | Performance Dismissed: Timeliness | RP was upset that Cahoots was not called when she was in Mental Health Crisis. | Dismissed: Timeliness |
| 2/7/2013 | 2/19/2013 | 12 | Inquiry | RP alleged that officer was rude, yelled at her and ignored her requests for his badge number. | Lt. reviewed ICV and spoke with witness officers all which showed officer was professional with RP. RP refused to speak with Lt. during follow up. |
| 2/8/2013 | 3/15/2013 | 37 | Inquiry | RP was upset that an officer who had been present when DHS removed his girl friend's children pulled them over and then proceeded to lecture them that she needed to stay away from him if she wanted her children back. | Sgt. spoke with officer about the traffic stop and then tried to contact RP. Calls were not returned. |
| 2/11/2013 | 3/12/2013 | 31 | Inquiry | RP was upset that a group of bicyclists were not able to show him Identification after one of them crashed his bike while he was backing up in the roadway. The cyclists claimed to be EPD officers. | Sgt. spoke with Sheriff Deputy who was one of the cyclists and learned that a group of officers off duty had been at the scene only one officer was EPD. Sgt. spoke with RP and explained that most of the officers were Sheriff Deputy's and that OR law does not require them to carry law enforcement id off duty. |
| 2/15/2013 | 3/1/2013 | 16 | Performance | RP reported that he observed an officer run a red light, while talking on a cell phone. | Sgt. spoke with officer who did not remember the incident and was reminded to be cognizant of all traffic laws while driving. Sgt. also spoke with RP about the incident. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--|---|--|
| 2/17/2013 | 2/28/2013 | 11 | Inquiry Dismissed: Alternate Remedy | Anonymous writer filed a complaint about a co workers work habits. | Dismissed by Auditor referred to section supervisor. |
| 2/21/2013 | 3/22/2013 | 31 | Policy | RP would like to get information about what information is available to officers when serving a warrant. She has been awakened by officers looking for her boyfriend who is already incarcerated. | Lt. reviewed records and spoke to RP about issues of information not updated as quickly as it needs to be and how information between agencies sometimes is not transferred. |
| 2/21/2013 | 3/1/2013 | 10 | Performance | Anonymous caller reported a patrol car was blocking the sidewalk on West 11th and had to walk into the street to get around it. | Sgt. reviewed dispatch records and learned officers when on a dispatched call and the area the officer was parked was the only area that could be used taking into account officer safety issues. |
| 2/22/2013 | 2/28/2013 | 6 | Performance | RP was concerned about a traffic stop that occurred when an officer ran a plate and RP was then ticketed for driving without a license. | Lt. met with RP and explained the policies and reasons why plates are run and answered questions RP had concerning the stop. |
| 2/25/2013 | 3/12/2013 | 17 | Performance | An anonymous person wrote in about an incident in which they stated that they were almost hit by an EPD officer who activated their lights at the last minute and then flew through a red light. | Sgt reviewed ICV of officers patrol car and noted officer stopped allowed 3 cars to proceed through the intersection before proceeding with lights and sirens. No contact for RP for follow up. |
| 2/25/2013 | 3/1/2013 | 6 | Policy Dismissed: Other | RP was upset that officers questioned his housemates about him. | Dismissed: Other/ no policy violation |
| 2/26/2013 | 3/14/2013 | 18 | Performance | RP was upset that when she tried to pay a traffic ticket it had not yet been submitted. | Sgt. found that officer had submitted his citation on the day given, but with Muni Courts recent move there has been a delay in processing. Sgt. spoke with RP about the issue and noted officer will now tell citizens about the lapse time. |
| 2/17/2013 | 4/18/2013 | 61 | Inquiry | RP felt that an officer deliberately made a false statement that her son was with in 1000 ft. of a school when he gave him a citation for less than an ounce. | RP agreed to mediate and than later declined noting that the supervisors she had spoken with thus far had answered her questions satisfactorily. |
| 3/5/2013 | 3/27/2013 | 22 | Courtesy | RP alleged he watched an EPD employee totally escalate a situation with a homeless person instead of helping the situation. | Sgt. spoke with employee about the incident and learned that the homeless person was drinking beer in a public space and she had tried to have the person leave the alcohol and move on but the person became more agitated. Sgt. spoke with RP about the situation. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|---|---|--|
| 2/19/2013 | 3/22/2013 | 33 | Policy | Several complaints were received about using EPD resources to shut down a party at Campbell Club. | The situation began as a citizen complaint about loud noise. Officers found probable cause to make arrests for prohibitive noise and were met with verbal and physical resistance from a few. A warrant was obtained and arrests were made of those responsible for the criminal activity. |
| 3/5/2013 | 3/8/2013 | 3 | Other Dismissed: Alternate Remedy | RP complained he should not have received a ticket for Improper turn. | Dismissed: Alternate Remedy |
| 3/6/2013 | 3/27/2013 | 21 | Courtesy | RP was upset because he believed an officer had not told him the truth when he asked why a man on his street was being arrested. | Sgt. spoke with officer and reviewed records and learned officer had not disclosed all the arrest charges because at the time the incident was still be investigated. Sgt. spoke with RP about the situation. |
| 3/4/2013 | 5/7/2013 | 63 | Inquiry | RP alleged officer is harassing him because he was cited in error for failing to use his signal. | Sgt. review records and spoke with RP about his concerns. |
| 3/13/2013 | 4/11/2013 | 28 | Inquiry | RP felt an officer acted inappropriate by trying to become too friendly when she befriended him on Facebook. | Sgt. spoke with RP, who felt no crime had been committed but she just felt is was inappropriate. |
| 3/14/2013 | 3/21/2013 | 7 | Policy | RP was upset that officers continue to look for her brother at her home even though she has told them he is homeless and she has no contact with him. Officers recently came late at night . | Sgt. spoke with officers who noted that they had received information that RP's brother was staying at the home, officer had spoken with RP on the day in question and apologized when he learned about the funeral. Sgt. spoke with RP about the situation and noted he would update information internally so she would not be bothered again. |
| 3/14/2013 | 6/28/2013 | 104 | Inquiry | RP alleged that an officer insinuated to him that police were looking for him when it was not true. He and the officer had had a prior contact over a basketball hoop and felt the officer was harassing him because of it. | Sgt. spoke with RP who acknowledged he had given the officer a bad time during the first encounter and was satisfied with how EPD had responded and looked in to the issue. |
| 3/14/2013 | 3/25/2013 | 11 | Inquiry Dismissed: Outside Jurisdiction | RP noted an officer taking part in a demonstration while in uniform. | Dismissed: Outside Jurisdiction |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--------------------------|---|--|
| 3/14/2013 | 3/18/2013 | 4 | Policy | RP was upset that officers were stopping his friends and interrogating them about his activities. They also talked to a neighbor about him when they were suppose to be doing a welfare check. | No record of a welfare check could be located. Auditor's Office corresponded with RP via mail about the Data Led Policing activity in his neighborhood. |
| 3/14/2013 | 4/10/2013 | 26 | Policy | RP was upset that officers did not allow his brother to take a vehicle, but instead impounded it. | Sgt. reviewed ICV and noted officer followed policy as the brother was not a registered owner of the vehicle. |
| 3/19/2013 | 4/22/2013 | 33 | Courtesy | RP was upset that warrant information for her mentally ill son was mailed to General Delivery instead o f his permanent address, leading to him being arrested. | Lt. followed up with RP about the issue and made sure that the Prosecutor's Office and Muni Court knew of the issue. |
| 3/20/2013 | 3/22/2013 | 2 | Inquiry | RP was upset that when he was released from Jail his iPhone was not with his belongings and it was not listed on an evidence sheet he was given. | Sgt. reviewed records and found the iPhone listed on the evidence list, verified it was lodged at PCU with the other items and notified RP's father about his findings. |
| 3/20/2013 | 3/21/2013 | 1 | Inquiry Dismissed: Other | RP was upset that EPD would not allow her to file a report about an IRS agent who called them and asked for a welfare check to be done. | Dismissed: Other/ no policy violation |
| 3/20/2013 | 4/16/2013 | 26 | Courtesy | RP was upset that an officer was argumentative and intimidating with him, accusing him of criminal trespass. | Sgt. spoke with officer about the incident and learned that due to the time and how RP was dressed, (not as a jogger as he claimed) the officer did speak briskly with RP. Sgt. spoke with RP about the incident and he could see why the officer may have been suspicious of him. |
| 3/22/2013 | 4/9/2013 | 17 | Policy | RP was upset that EPD did not want to do anything when she called about a vehicle that backed into her and then sped away. | Supervisor listened to call records and learned that the call taker did dispatch from what the caller reported, but that the caller declined to press charges. |
| 3/22/2013 | 4/8/2013 | 16 | Performance | RP was upset about the actions of an officer during a traffic stop. RP stated the officer got very close to her through the window, wrote on her registration and became upset with her when she opened her car door, stood with his hand on his gun and called for backup. | Sgt. reviewed recordings of the call and noted no policy violations by the officer who was professional with RP. Sgt. spoke with RP about his findings. |
| 3/22/2013 | 4/10/2013 | 18 | Performance | RP was upset that her and her boyfriend were followed by an EPD patrol car, they eventually pulled over to ask the officers what was up. They were told her boyfriend had a suspended license, but she was driving. | Sgt. reviewed records and spoke with the officers, knew the register owner of the vehicle had a suspended license and were trying to verify if he was driving. RP did not return phone calls of Sgt. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|------------------------------|---|---|
| 3/23/2013 | 3/26/2013 | 3 | Performance | RP was upset because he felt an officer was misrepresenting what another party in an altercation had said and that he was not going to file a report. | Sgt. reviewed records and spoke with RP and officers and learned the issue was a miscommunication between the two. |
| 3/24/2013 | 3/28/2013 | 4 | Inquiry: Dismissed | RP was upset that his friend was cited for a license plate cover and didn't understand why they are sold if they are illegal. | Preliminary investigation showed RP's friend was stopped but was not cited. Auditor's office followed up with a letter to RP. |
| 3/26/2013 | 4/22/2013 | 26 | Courtesy | RP felt that an officer who did an investigation about an altercation she had in a bar did not help in anyway and was unprofessional and rude. | Sgt. reviewed ICV and reports and learned that officer did a thorough investigation, took the time to explain his findings and what would happen next with both parties in the altercation. RP did not returned repeated calls from the Sgt. |
| 3/27/2013 | 4/9/2013 | 12 | Performance | RP was upset that an officer did not include the address of Muni Court on his citation costing him to parking fees and wasted time. | Sgt. spoke with officer about the importance of making sure the new address of Muni Court is listed on each citation and spoke with RP about the issue. |
| 3/27/2013 | 4/16/2013 | 19 | Courtesy | RP was upset about a citation she received for a license plate cover and the officers attitude when she asked for a warning. | Sgt. spoke with officer and RP about the incident, explaining the meaning of some of the officer's statements which was helpful to RP. |
| 3/29/2013 | 4/12/2013 | 13 | Inquiry | RP was upset that when her wife called about a DUII driver that she had been involved in a fender bender with the two patrol cars that drove by did not stop. | Sgt. reviewed records of incident and learned that a SWAT unit was executing a warrant and an officer involved may have driven by the accident. The officer who was actually dispatched arrived to find that the involved had departed the scene. Sgt. and Watch Commander both spoke with RP about the incident. |
| 3/29/2013 | 4/23/2013 | 24 | Performance | RP was upset because he was unable to get PCU to release his grandson's gun to him. | Lt. followed up on the issue and learned that the gun had already been released to RP. Lt. also followed up with RP. |
| 4/1/2013 | 4/9/2013 | 8 | Performance | RP was upset that Police vehicles were driving at high rates of speed down his street which is a cut off between 99 and River Road. | Lt. contacted RP and spoke to him about his concerns. |
| 4/1/2013 | 4/5/2013 | 4 | Inquiry: Dismissed/ Other | RP stated that he wasn't read his Miranda Rights when arrested for prohibitive camping. | Dismiss: Other Auditor's office followed up with a letter about Miranda rights and when they must be used. |
| 4/1/2013 | 4/8/2013 | 7 | Performance | RP was upset at a patrol car that drove very fast down the alley where her children sometimes play. | Sgt. learned that the patrol car was a Sheriff's Vehicle and notified RP. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|--|--|
| 4/1/2013 | 4/22/2013 | 21 | Service Level | RP was upset that the report about her missing cell phone was not followed up on. | Sgt. reviewed the complaint and assigned the case to a detective for follow up and then spoke with RP about the issue. |
| 4/1/2013 | 5/7/2013 | 36 | Policy | RP was upset that officers did not tell him about the part of ORS that deals with written threats and feels he was dissuaded from pressing charges. | Sgt. spoke with officer and witness officer and learned that officer had read the complete ORS to RP and discussed that his situation did not fit the statute. Sgt. made repeated attempts to contact RP. |
| 4/1/2013 | 4/25/2013 | 24 | Performance | RP was concerned that an officer doing traffic stops near Churchill was peeling out of the parking area where he was sitting to go after a speeder. RP felt he came very close to her. | Sgt. reviewed ICV and did not notice any vehicles in the officers path. Sgt. spoke with RP about how traffic stops are conducted and his findings, he also spoke with the officer about RP's concerns. |
| 4/4/2013 | 5/16/2013 | 42 | Performance | RP was upset that officers questioned him and treated him like the suspect, when he was the victim. | Lt. spoke with RP about the incident and had the officers' Sgt. speak with them about RP's concerns. |
| 4/11/2013 | 7/19/2013 | 98 | Inquiry | RP was concerned about the length of a traffic stop and that officers had pulled a U-turn and followed him for a couple of miles. RP also alleged that officers told the local strip club that he was a drug dealer. | Sgt. learned that the officer had observed a traffic infraction by RP as he left a nightclub and followed him for possible DUII. Length of stop was due to the fact officer is new and conferred with his training supervisor as to how to deal with the stop. Sgt. also found that the officer had never went to the club or conferred with it's owners. Sgt. spoke with RP about his findings. |
| 4/10/2013 | 5/15/2013 | 35 | Performance | RP was concerned that officers are arresting her father on cases that have been dismissed. Also an EPD detective has done little on an investigation of theft from her father. | Sgt. reviewed the police records of all the incidents involved and spoke with RP about her concerns. |
| 4/5/2013 | 4/12/2013 | 7 | Inquiry | RP emailed alleging that EPD had several guns that a deceased friend had bequeathed to him and would not return them. | Sgt. investigated the claim and could find no record of guns owned by his friend, his relatives or RP having ever been in EPD custody. |
| 4/9/2013 | 4/23/2013 | 14 | Inquiry | RP reported suspicious conditions and a possible officer involved in selling drugs. | Investigation by Sgt. revealed that the officer was with another jurisdiction, Sgt. referred the matter and spoke with RP about his findings. |
| 4/15/2013 | 4/16/2013 | 1 | Inquiry | RP alleged officers removed her pants and touched her inappropriately during her arrest. | Sgt. reviewed ICV and learned that RP was wearing sweats over jeans and kept pulling the sweats down. No inappropriate actions were found in ICV and when RP was contacted she did not remember most of the arrest for trespassing. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--|--|---|
| 4/15/2013 | 4/26/2013 | 11 | Performance | RP was concerned that a dispatcher just did not seem to understand that a dog running loose on Delta with cars slowing and stopping was an emergency. | Supervisor reviewed call and spoke with RP then reviewed customer service techniques with the call taker. |
| 4/17/2013 | 5/7/2013 | 20 | Service Level | RP was concerned that a call taker told her to stop calling when she called about a car fire. | Supervisor listened to intake recording and noted that there had been a miscommunication, the call taker was advising RP that if she saw others calling it was not needed due to the incident already being reported by 4 people. Supervisor spoke with RP about his findings. |
| 4/15/2013 | 5/21/2013 | 36 | Policy | RP inquired into the issue of officers hand written notes taken before citations are written were being destroyed and if public records laws stated they must be retained. Also with regard to personal recording devices videos and voice recordings. | Sgt. reviewed the policy which directed the notes to be destroyed, Sgt. also learned there was no current policy about personal electronic recording devices, these concerns were moved up the chain of command and the Sgt. spoke with RP about current policy and his findings. Follow up with chain of command: Policy was updated to direct these notes be saved. |
| 4/17/2013 | 4/23/2013 | 6 | Use of Force | RP alleged officer assaulted him during an arrest for trespass. | Sgt. was at the scene of incident and reported the complaint to Auditor. RP had a cigarette in his mouth at time of arrest, refused to remove it and at the same time officer went to flick it out of his mouth RP spit it out causing the officers fingers to touch RP's face. No assault or excessive use of force occurred. |
| 4/16/2013 | 4/22/2013 | 6 | Inquiry | RP was concerned that too many of EPD's ICV camera's fail to work when needed. | Cpt. Has been kept apprised of the on going issues and is working with maintenance and the manufacture on the issues. Follow up was done with RP. |
| 4/17/2013 | 4/23/2013 | 6 | Policy: Dismissed Outside Jurisdiction | RP had a concern that the signs placed in the park blocks warning of a felony code violation for selling drugs within a 1000 ft. of a school can be blocked by kiosks. | Dismissed: Outside Jurisdiction RP directed to correct city department. |
| 4/18/2013 | 4/23/2013 | 5 | Inquiry Dismissed: Timeliness | RP alleged that an officer physically detained him against his will without probable cause. | Dismissed: Timeliness |
| 4/20/2013 | 5/6/2013 | 16 | Inquiry Dismissed Alternate Remedy | RP alleged that a EPD employee used her position to file a false police report about a family member, and that it resulted in an officers misusing AIRS. | Dismissed : Alternate Remedy. No evidence of improper AIRS usage. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--------------------------------|--|--|
| 4/19/2013 | 5/16/2013 | 27 | Courtesy | RP alleged that as she was exiting a building and an officer pushed her with no warning or provocation. | Sgt. spoke with officer and witness officers and learned officer had moved RP out of the way of a doorway after she would not move out of the way of his investigation after repeatedly being asked. Sgt. did not get a return call from RP. |
| 4/22/2013 | 4/30/2013 | 8 | Courtesy | RP called concerned about the demeanor and integrity of on officer who cited her. | Sgt. reviewed ICV of the incident and noted the RP committing the infraction and the officer's demeanor of the incident was professional, then spoke with RP about the stop. |
| 4/22/2013 | 5/21/2013 | 29 | Service Level | RP was upset that when he tried to report telephonic harassment he was told they could do nothing about it, even though a Sgt. had told him otherwise. | Sgt. reviewed records and spoke with officers about the incident and learned that RP had two separate reports and when he spoke to officers he inadvertently referenced another incident leading to the confusion between RP and the officers he spoke with. |
| 4/27/2013 | 5/22/2013 | 25 | Courtesy | RP alleged that at least 3 times when he called 911 for assistance the call taker acted like she couldn't hear him and hung up. When he called back and got another call taker everything was fine. | Supervisor reviewed and listened to 911 calls from RP and learned that on 2 of 7 calls the call was unreadable and the line was disconnected. The remaining 5 were all received and calls for service entered. RP did not respond to messages left by Supervisor to discuss the issue. |
| 4/24/2013 | 5/6/2013 | 12 | Performance | RP complained that an EPD patrol car sped through a school zone. | Sgt. spoke with officer about the issue, RP was anonymous so no follow up. |
| 4/25/2013 | 4/26/2013 | 1 | Other Dismissed: Timeliness | RP forwarded YouTube video about an officer questioning a person in the park who was openly carrying a weapon. | Dismissed: Timeliness |
| 4/25/2013 | 7/19/2013 | 84 | Inquiry | RP was concerned an officer had not done a thorough job of investigating her robbery. | Sgt. reviewed records of the investigation and attempted to speak with RP. RP has not returned repeated messages. |
| 4/26/2013 | 7/11/2013 | 75 | Inquiry | RP was upset by the behavior of an officer during a call for service about hostile neighbors, RP felt the officer was blaming the incident on her mixed race son. | Mediated |
| 4/30/2013 | 6/10/2013 | 40 | Inquiry | RP was upset that when he called to inform EPD he would be open carrying a weapon while out exercising he felt the call taker asked many more questions than usual. Later when he called back about a person harassing him the call taker told him he did not need the police. | Supervisor review calls and found no evidence that calls were handled outside of policy or that call taker had made the statement about not needing police. RP did not return messages to speak about the incident with the Supervisor. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|-------------------------------------|--|---|
| 4/30/2013 | 5/9/2013 | 9 | Policy | RP questioned why officers are allowed to delay court trials but the citizens are not. | Sgt. spoke with RP about her concerns and the procedures the court uses. |
| 5/1/2013 | 5/1/2013 | 0 | Policy | RP was upset that EPD does not seem to enforce traffic speed on the main though fares during rush hour. | Anonymous callers thoughts were passed along to the Patrol Captain's for review. |
| 5/2/2013 | 6/10/2013 | 38 | Inquiry | RP was upset that officers who stopped by her government agency to speak to a couple of employees who where out on cases refused to take phone numbers and insisted on coming back which she felt was a disruption. | Sgt. looked into the issue and spoke with RP and with the officers about incident. |
| 5/3/2013 | 5/20/2013 | 17 | Inquiry | RP was upset at what he felt was poor investigation into an incident in which his son had been choked by another child and that the officer did not speak with him directly since he was the custodial parent. | Sgt. reviewed the police records of the incident and spoke with the officer about his investigation, learning that the officer had done a professional and complete job. Sgt. spoke with RP about the issue and found that some of his concerns had been because of the way his ex had portrayed the issue. |
| 6/6/2013 | 6/17/2013 | 11 | Inquiry | Third party complaint that an EPD officer advised a person how to plead at court. | Sgt. spoke with officer and with the person involved and learned that the person did not believe that the officer had given advice how to plead but had instead given her the options of each choice. |
| 5/3/2013 | 5/13/2013 | 10 | Inquiry Dismissed: Alternate Remedy | RP's complained that an officer was aggressive in trying to question him, calling repeatedly on his cell phone and finally arresting him in front of his friends. | Dismissed: Alternate Remedy |
| 5/8/2013 | 5/20/2013 | 12 | Courtesy | RP's complained about an officer who approached her at the 7-11 and asked what she was doing and why she was there, RP had called EPD about a robbery and had been told by dispatch to wait for an officer there, so she didn't understand the officer's demeanor. | Sgt. learned that an employee of the 7-11 had contacted the officers about loiterers on the property and the officer was investigating. Sgt. spoke with RP who now understood why one officer was saying one thing while dispatch was telling her another. |
| 5/8/2013 | 5/15/2013 | 7 | Inquiry | RP was upset that officers had positioned their vehicle in such a way as to cause a scene and were racially profiling a couple of young men during a traffic stop. | Sgt. reviewed records and ICV, spoke with officers and learned from ICV that a traffic infraction had taken place and the race of the occupants was not determinable at the time of the stop. Sgt. spoke with RP about his findings. |
| 5/9/2013 | 5/28/2013 | 19 | Inquiry | RP, a school principal inquired into whether or not officers still cited minors who are in possession of less than an ounce of marijuana. | Sgt. spoke with RP about the fact that a citation can be issued but that the Juvenile Court does not set a court date or a fine. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|-------------------------------------|--|---|
| 5/9/2013 | 5/28/2013 | 19 | Courtesy | RP was upset that an officer badgered and lectured her to speak with him about a situation she witnessed but did not want to be involved in. | Sgt. spoke with officer and learned the RP was a witness to a situation he was investigating and had tried to speak with RP about the issue. Sgt. spoke with RP and explained why the officer had bothered her, she seemed to be understanding of why he had been questioning her. |
| 5/13/2013 | 5/31/2013 | 18 | Performance | RP was upset at the lack of effort by EPD when her bicycle was stolen. | Sgt. spoke with RP about EPD's responses to her stolen bike and what they can and cannot do to find bikes. |
| 5/15/2013 | 6/17/2013 | 32 | Performance | RP noted that an animal control vehicle ran a red light. | Supervisor spoke with RP about the incident and then with the officer about care in driving. |
| 5/13/2013 | 5/28/2013 | 15 | Inquiry | RP claimed that when he was arrested by two officers they discussed stealing his pawn ticket which is now missing. | Sgt. reviewed body camera tape worn by officer which noted the officer inventorying RP's belongings with no mention of a pawn ticket. Sgt. spoke with RP about his findings and found that RP had gotten a replacement ticket for his pawned items which were still at the pawn shop. |
| 5/16/2013 | 5/17/2013 | 1 | Inquiry Dismissed: Other | RP was upset that an officer took him to the hospital instead of to the police station when he wanted to report harassment by a spy ring involving the Rothschild's. | Dismissed: Other |
| 5/15/2013 | 5/17/2013 | 2 | Inquiry Dismissed: Alternate Remedy | RP complained of harassment because he had been in the same vehicle and had been stopped twice for the same failure to signal within 100 ft. as the reason. | Dismissed: Alternate Remedy |
| 5/18/2013 | 5/20/2013 | 2 | Courtesy | RP complained that an officer was disrespectful of him. | Sgt. spoke with the RP about his concerns and reviewed ICV of the incident which did not reveal the officer being disrespectful or rude with RP. |
| 5/18/2013 | 6/17/2013 | 29 | Inquiry | RP was upset that EPD seems to be conspiring against his daughter, arresting her over and over again for the same thing. | Sgt. reviewed the records and learned that each arrest was for a separate violation. He spoke with RP about the issue. |
| 5/20/2013 | 6/12/2013 | 22 | Service Level | RP was concerned about how EPD officers handled a situation at Alton Baker Park during an event in which she wished to protest. | Lt. spoke with officers about the incident at the event and learned that demonstrators were told they could be anywhere in the park except in the area of the permitted event. Lt. communicated with RP her findings. Park rules were reviewed. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|---|
| 5/20/2013 | 5/31/2013 | 11 | Policy | RP was upset that when a neighbor called EPD because he had taken a picture of her they sent 8 officers for something that was not a crime. | Sgt. learned that because of an incident with RP the previous day, extra officers were dispatched, and after speaking with RP at the scene cleared advised since no crime had been committed. Sgt. spoke with RP about the issue. |
| 5/20/2013 | 5/28/2013 | 8 | Performance | RP was concerned that patrol vehicles drove 70-80 miles an hour down Coburg Road. | Lt. spoke with RP about the issue, and noted that on the last incident of fast driving officers were responding to an armed robbery. |
| 5/22/2013 | 6/7/2013 | 15 | Performance | RP was upset that officers who responded to a call for service about homeless campers, raw sewage and drug trafficking made excuses and said it was private property. | Sgt. reviewed incident records and inspected the area in question and spoke with RP - giving her the number for code enforcement since that was the jurisdiction needed to address the issue. |
| 5/24/2013 | 6/14/2013 | 20 | Performance | RP stated that the call taker she spoke with made the situation more stressful and made an unnecessary comment. | Supervisor reviewed the call tape and learned that call taker had asked clarifying questions to expedite the call and noted the comment RP was concerned about and spoke with the call taker about the issue. |
| 5/24/2013 | 6/11/2013 | 17 | Inquiry | RP alleged that officers were rough with her and pushed her against a wall when they were arresting her. She was not given any citation or told why she was arrested. | Sgt. reviewed police records and ICV and learned that RP was trespassing at time of arrest and resisted officers efforts to arrest her. Policy was followed, Sgt. spoke with RP about the incident. |
| 5/28/2013 | 7/19/2013 | 51 | Inquiry | RP questioned why she was taken to the Johnson Unit instead of calling Cahoots. | Sgt. reviewed records and spoke with RP about the incident. |
| 5/29/2013 | 6/12/2013 | 13 | Inquiry | Internal reported issue with a personal gun found at PCU tagged to be destroyed. | Sgt. learned that a Property Control Supervisor had offered to destroy an older (personal) damaged gun for an officer. It was determined the officer did not intend to utilize department resources in a manner that was not permitted. |
| 5/29/2013 | 7/3/2013 | 34 | Inquiry | RP was upset because an officer had breached her confidence by telling her brother information she had told the officer. | Sgt. spoke with RP about her complaint then spoke with the officer. Sgt. learned that none of the information involved was of a privileged nature or prohibited by policy. |
| 5/29/2013 | 6/28/2013 | 29 | Inquiry | RP alleged that an officer conspired with other agencies to set him up and give him a bogus ticket for not making a signal change. | Sgt. spoke with officer about any prior contacts with RP and learned about 3 hours prior RP had inquired with the officer about where he could park at the Federal Building. 3 hrs. later he ticketed RP for a moving violation in which the Sgt. recorded on ICV and noted no policy violations. Officer had had no prior contact with RP. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|--|---|
| 5/29/2013 | 6/17/2013 | 18 | Inquiry | RP's inquired into the behavior of an animal control officer in their neighborhood. | Supervisor reviewed records of officers activities on the day in question communicated with RP's about their concern. |
| 5/30/2013 | 6/27/2013 | 27 | Inquiry | RP was upset that officers stopped his girlfriend's car that was being driven by another female friend. RP's girlfriend has a warrant. They took 45 minutes to clear them and then about an hour later when the friend picked him up they stopped her again and impounded the car because of a suspended license she did not know she had. | Sgt. contacted RP about the incident. RP could not recall the incident. Sgt. learned from officers that they questioned a woman near a parked car that fit the description of the owner who had a warrant. They learned that the woman was not the one wanted but that she did have a suspended license but since they did not see her drive she was not cited. Later they observed the woman driving the car and then stopped her for the suspended license. |
| 5/30/2013 | 6/19/2013 | 19 | Performance | RP was upset that officers refused to arrest two people who broke into her home or release to her their last names. The officers also threatened to arrest her for telephonic harassment. | Sgt. reviewed records and spoke to officer about the call. Learned that the situation was a civil issue and that the officer had went to great lengths in the investigation to determine there was no criminal issue involved. RP did not return calls to the Sgt. |
| 6/2/2013 | 6/3/2013 | 1 | Performance | RP was upset that officers did nothing about a man who walked by and verbally insulted her while officers were conducting a DUII investigation. | Sgt. spoke with RP at the scene about her concern. |
| 6/4/2013 | 6/26/2013 | 22 | Policy | RP was upset that when she tried to reclaim her medical marijuana from property control no one seemed to have the same answer about how to go about it, until a supervisor finally told her federal law did not allow them to return it. | Sgt. reviewed procedures involved in the Medical Marijuana law and learned EPD had been doing a case by case with advice from the City Attorney. He requested updated training for Patrol officers to clarify procedures. Sgt. left a message with RP about his actions. |
| 6/4/2013 | 6/12/2013 | 8 | Performance | RP was upset that EPD was doing nothing about his stolen bike even though he had traced it to a homeless camp. | Lt. reviewed report and learned that since the complaint had come in EPD had recovered and returned RP's bike which he was very appreciative of . |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|-------------------------------------|--|---|
| 6/7/2013 | 6/17/2013 | 10 | Courtesy | RP felt an officer looked at her in manner that made her uncomfortable and that a fellow officer did not complete a report about her incident. | Sgt. reviewed police report, ICV and CAD details of the incident. Learned that a report had been taken and submitted, and that the other officer had provided advice to RP about how to stay safe and avoid being victimized in the future and he had only wanted to provide compassionate input to the victim. Sgt. communicated with RP about his findings. |
| 6/8/2013 | 6/14/2013 | 6 | Performance | RP alleged that officers did not arrest her boyfriend for assaulting her because his brother is a Sheriff Deputy. | Sergeant was present while officers questioned RP about the incident and showed days old bruises claiming to have just received them and then refuse to cooperate with officers. Sgt. noted no policy violations by officers. |
| 6/7/2013 | 6/13/2013 | 6 | Inquiry Dismissed: Alternate Remedy | RP was upset that EPD would not release some of his property obtained via a search warrant form a repair shop. | Dismissed: Alternate Remedy |
| 6/11/2013 | 6/28/2013 | 17 | Inquiry Dismissed: No EPD involved. | RP believed that a traffic stop his wife was involved in was odd and inquired into what procedures should be followed in a DUII traffic stop. | Dismissed: No involved EPD employee . Preliminary investigation in to complaint found a possible police impersonator. |
| 6/5/2013 | 6/12/2013 | 7 | Performance | RP was upset at the driving of an EPD Volunteers on Patrol member. | Supervisor contacted RP about his concerns and spoke with the Volunteer about EPD driving expectations. |
| 6/10/2013 | 7/12/2013 | 32 | Policy | RP was upset that a call taker would not take a report of a Doctor at Peace health who assaulted him. | Supervisor reviewed calls and learned that several different call takers and Supervisor agreed that RP's issue was civil and he need to begin his complaint with the hospital. |
| 6/12/2013 | 7/17/2013 | 35 | Inquiry | RP was concerned that while court observing she found that many of the people who received tickets for a lane change violation were Latino. | Sgt. researched the records of the time of thew ticket in question and learned that only 45 such tickets had been issued year to date, 2 a week on average. Establishing a pattern with such small numbers would be difficult. RP was notified of the research. |
| 6/14/2013 | 6/27/2013 | 13 | Performance | RP was upset that the police report of him being assaulted did not seem to be accurate about how many times he was struck. | Sgt. reviewed police report and pictures of incident then spoke with the RP which matched what the officer had noted in the report. Sgt. spoke with RP about his findings. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|---|--|---|
| 6/17/2013 | 6/27/2013 | 10 | Performance | RP was upset that an officer did not adequately investigate a call for harassment and did not question witnesses because they spoke Spanish. | Sgt. reviewed records and learned that the officer took a full report and that another Spanish speaking officer did speak with witnesses and that the officer still did not have enough evidence for probable cause to arrest. Sgt. spoke with RP about his findings. |
| 7/17/2013 | 7/19/2013 | 2 | Performance | RP was upset that EPD did a poor job of helping her when she reported her dog taken from a parked car. | Supervisor reviewed all calls made by RP and found call takers were helpful with no policy violations noted. Supervisor spoke with RP about her findings. |
| 6/18/2013 | 8/19/2013 | 61 | Performance | RP was upset about how a call for service concerning a hit and run accident was handled. | Sgt. reviewed records of incident and spoke with RP and the officer. Sgt. found officer had made the right decision on the accident investigation but because it was a follow-up dispatch the officer did not realize that a report had not been submitted. |
| 6/19/2013 | 7/11/2013 | 22 | Inquiry | RP was upset that a call taker kept him on the phone for over 20 minutes asking questions about an assault on a co-worker that was taking place, but never dispatched an officer. | Supervisor reviewed the call for service and found that the entire call was for 8 minutes and 30 seconds into the call an officer was dispatched, but the call taker did not relay that information to the caller. Supervisor spoke with RP about her findings. |
| 6/21/2013 | 7/3/2013 | 12 | Performance | RP was concerned that when she was assaulted by another woman officers had a bad attitude and did not summon medical help. | Sgt. review records and spoke with the officer about the incident. Sgt. spoke with RP for over an hour but was unable to come to an amenable resolution with RP. |
| 6/24/2013 | 6/27/2013 | 3 | Courtesy Dismissed Outside Jurisdiction | RP complained that bike officers were mean and rude while she leaned against a planter wall across the street from her apt. | Dismissed: Outside Jurisdiction |
| 6/24/2013 | 8/27/2013 | 63 | Performance | RP was concerned about an incident in which he was arrested for DUII, being a diabetic he has no memory of the incident. RP is concerned that he was not given medical attention but instead taken to jail. | Sgt. reviewed records and spoke with the involved officer, Sgt. noted no policy violation. RP did not wish to speak with Sgt. at this time due to the pending Court case. |
| 6/25/2013 | 7/10/2013 | 15 | Courtesy | RP who is transgender was upset that an officer stopped her for a pedestrian violation for what she believes is her gender and the officer repeatedly called her sir even though she identifies as a female. | Sgt. reviewed the ICV of the incident and learned that the officer was polite and after the initial reference to Sir began to address RP as Ma'am |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|---|
| 6/26/2013 | 7/29/2013 | 33 | Performance | RP was upset that an officer left his apartment complex after a call driving faster than the speed limit. | Sgt. reviewed the call and spoke with the officers on scene of the call, who did not recall any officers driving in a fast or unsafe manner. RP was anonymous so no follow-up was under taken. |
| 6/26/2013 | 7/30/2013 | 34 | Performance | RP was upset that when reporting a stolen bike an officer seemed to have a negative attitude making her feel like the perpetrator. | Sgt. reviewed info available about the case and spoke with RP, updated her on the state of the case provided her the prosecutor's office number and assured her he would speak with the officer about his demeanor. |
| 6/28/2013 | 7/2/2013 | 4 | Use of Force | RP alleged that an officer pushed her during a dispute call to her home. | Sgt. took the complaint at the scene, witnesses confirmed RP disregarded officer instructions and could have arrested for her actions. |
| 6/28/2013 | 7/10/2013 | 12 | Policy | RP inquired into the exception that officers can ride bikes on the sidewalk downtown when other can not. | Sgt. spoke with RP about his concerns to the exception. |
| 7/1/2013 | 7/29/2013 | 28 | Courtesy | RP felt an officer was rude with her when she tried to ask questions about an incident she was involved in. The officer scolded her for bringing up the name of a friend who was also an officer. | Sgt. spoke with RP who asked that the officer be notified of her concerns, which the Sgt. did and stressed maintaining positive relationships with citizens. |
| 7/4/2013 | 7/14/2013 | 10 | Courtesy | RP was felt officers were not properly investigating an assault and when he questioned officers they told him he was snoopy. | Sgt. learned that RP was a by stander to the incident and that officers went out of their way to answer the questions that they legally could for RP. |
| 7/3/2013 | 7/8/2013 | 5 | Performance | RP is concerned about a parking situation in his neighborhood and doesn't seem to be getting any help from EPD. | Lt. spoke with RP about his situation and gave him tips on how to use Parking Services and other departments to help with his trouble. |
| 7/5/2013 | 7/9/2013 | 4 | Performance | RP was upset that EPD does not seem to enforce the use of illegal fireworks. | RP declined to have a supervisor call him, as he felt it would be a waste of time. |
| 7/5/2013 | 8/1/2013 | 26 | Performance | RP was unhappy because she felt her call to 911 was not processed appropriately. | Supervisor reviewed calls by RP to the non emergency line and learned that RP was reporting an issue that needed to go through her property management company and not the police department, she found no policy violation by call taker. Supervisor spoke with RP about her findings. |
| 7/5/2013 | 8/15/2013 | 40 | Performance | RP was upset that no officers showed up when he reported illegal fireworks. | Lt. spoke with RP about his concerns, the level of priority calls at the time and the sheer volume of illegal fireworks at the time making it unlikely officers could get to each one. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|--|
| 7/5/2013 | 7/12/2013 | 7 | Performance | RP's are concerned about how officers handled an incident in which a pedestrian was injured by a car. | Sgt. had actually been called to the scene of the incident where officers could not verify from witness and physical evidence that an accident had happened and that anyone had been injured. Sgt. spoke with RP about his findings. |
| 7/5/2013 | 7/30/2013 | 25 | Lindsay | RP was concerned about the lack of follow up to her criminal trespass complaint. | Sgt. learned that after the investigation in to the trespass the officer found no probable cause to arrest but learned the officer had not completed a report, nor returned phone calls to the RP. Sgt. spoke with RP about his findings and followed up with the officer. |
| 7/5/2013 | 7/9/2013 | 4 | Performance | RP was concerned about the driving she observed by an officer. | Lt. spoke with RP about her concern and with the officer. |
| 7/5/2013 | 8/15/2013 | 40 | Inquiry | RP alleged that an animal control officer ripped her window screen and entered her home when he left a warning note. | Supervisor learned that the officer was dispatched about a barking dog and left a door hanger but did not enter the home or break the screen, RP now believes it was a coincidence about the screen. |
| 7/8/2013 | 7/30/2013 | 22 | Policy | RP was upset that officers came to her home looking for a Nephew who has an old 2009 DUII charge. She is afraid her landlord will evict her. | Sgt. spoke with RP about the officers purpose and will also contact her landlord to notify them of why law enforcement has been contacting RP. |
| 7/8/2013 | 8/1/2013 | 23 | Performance | RP complained that he had observed an EPD volunteer not using his turn signal. | Supervisor spoke with Volunteer about the importance of obeying all traffic laws and Cpt. spoke with RP about the incident. |
| 7/10/2013 | 8/8/2013 | 28 | Inquiry | RP alleged that on officer via telephone and text messages harassed him and threatened to press charges because a relative is involved in a landlord tenant dispute. | Sgt. spoke with RP and reviewed records regarding the situation, due to the law enforcement jurisdiction in the area being involved and finding no criminal issue the Auditor closed the complaint. Sgt. followed up with RP. |
| 7/11/2013 | 8/15/2013 | 34 | Performance | RP was upset that officers told the person she was attempting to get a stalking order against and who later returned and slashed her tires. | Sgt. learned that in the original call to the dispatcher RP noted she wanted to keep the stalking order confidential. This information was not relayed to the officer so the officer was unaware of the issue. |
| 7/12/2013 | 8/12/2013 | 30 | Courtesy | RP contacted the Auditor's Office about an officer who confronted her at Valley River Center by blocking her car in and rudely questioning her about putting her belongings in the passenger side of her car. | Sgt. was unable to identify the officer involved, Sgt. spoke with RP about her concerns and his findings. |

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|---------------|-------------|------------------|-----------------------------|---|---|
| 6/29/2013 | 7/16/2013 | 17 | Inquiry Dismissed: Other | RP was upset that officer placed her on a mental health hold after she reported a rape. | Dismissed: Other Preliminary investigation revealed that officers took RP to the hospital for care and was admitted on the mental health hold by her health counselor. |
| 7/15/2013 | 7/29/2013 | 14 | Inquiry | RP inquired into rather it was legal or not for her to walk along the median of a city street. She was stopped by an officer and questioned and then ordered to cross the street. | Sgt. reviewed ORS and found nothing to prohibit RP using the median as she described, Sgt. spoke with RP about the incident and spoke with the officer. |
| 7/15/2013 | 8/5/2013 | 20 | Performance | RP was concerned about an officer's driving when he observed him doing a California Stop at a stop sign. | Sgt. was unable to identify the officer involved, RP did not return messages to the Sgt. |
| 7/15/2013 | 8/28/2013 | 43 | Performance | RP was upset that when her boarder was harassed and threatened by her neighbors for parking his car in the cul-de-sac and officers did nothing. | Sgt. spoke with officer about the call and learned that neighbor's were advised that it was a public street but because of limitations on freedom of speech no probable cause for criminal activity was found. Sgt. spoke with RP about his findings. |
| 7/16/2013 | 7/29/2013 | 13 | Performance | RP was concerned about how a call taker took his call about a vehicle driving recklessly on Belt line. | Supervisor reviewed the call in question and found that when the call taker tried to verify the information about the car RP became frustrated and hung up on the call taker. Supervisor contacted RP about her findings and to explain the process the call takers use to dispatch a call. |
| 7/16/2013 | 9/25/2013 | 69 | Performance | RP was upset that officers came to his home, and squeezed through his gate at 1:00 in the morning about a civil issue. | Sgt. learned that RP had been notified that the officers were coming and that at that point officers were not aware the issue was a civil one, only that they had been dispatched to investigate. Sgt. spoke with RP about his findings. |
| 7/17/2013 | 7/30/2013 | 13 | Performance | RP was upset that officers did not cite neighbors that were setting off illegal fireworks. | Sgt. reviewed the details of the complaint and talked with RP about various elements of his concern. |
| 7/12/2013 | 7/18/2013 | 6 | Policy | RP inquired into a policy which leaves it up to the officer's discretion on rather or not to turn on video in the intoxylizer room. | Lt. reviewed policies and found that nowhere in the policy is recording mandated at the Police Headquarters Facility and that the camera in question is video only with no audio. Lt. spoke with RP about her findings on the policy. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|--|---|
| 7/16/2013 | 8/16/2013 | 30 | Courtesy | RP complained that officers who came to her house looking for someone that had been evicted were rude and then sat outside of her apartment for hours. | Sgt. learned officers had been looking for a wanted subject, spoke with RP who denied knowing the suspect. The officers cleared for other calls but other officers were also watching the location so it may have appeared they were watching RP. Sgt. spoke with RP about the findings. |
| 7/19/2013 | 7/30/2013 | 11 | Inquiry | RP tried to claim a rifle he had turned in to police under the finders law and learned the officer had not included his name on the report. | Sgt. reviewed the report and spoke with the officer who learned that a juvenile at the apartment RP worked at had actually found the rifle so RP's name was not listed. Sgt. spoke with RP about how the law worked and how in this case he could not claim the property under the finders law. |
| 7/16/2013 | 7/23/2013 | 7 | Inquiry | RP alleged that he had 20 dollars missing after being arrested. | Sgt. learned that RP was arrested for burglary after trying to eluded officers and that the homeowner saw RP with money hanging from his front pockets at the scene of the incident. Sgt. spoke with RP who agreed that the money could have fallen from his pocket during the incident. |
| 7/18/2013 | 7/23/2013 | 5 | Courtesy | RP, a media camera man, complained that an officer was rude and threatening with him at a crime scene. | Lt. spoke with RP at the scene and explained what was procedure for media at the crime scene and spoke with officer about RP's concerns. |
| 7/22/2013 | 8/19/2013 | 27 | Performance | RP expressed concern that while looking for a burglary suspect an officer came through their backyard fence pointing a gun at her partner and threatening to send the dog on him. RP is upset that no follow up was performed by officers to explain what happened, checking into their welfare or letting them know how to have their fence repaired. | Sgt. reviewed the records and spoke with RP about the incident, that officers had followed protocol but he would be willing to write a letter to RP's partner about the incident. |
| 7/22/2013 | 8/21/2013 | 29 | Courtesy | RP was upset that officers yelled at him to get off a city street, he was unaware at the time that is had been blocked off for a bicycle road race. | Sgt. spoke with officers about the incident and then with RP, who appreciated the call back and had later realized the reason officers had been gruff with him. |
| 7/17/2013 | 9/13/2013 | 56 | Performance | RP feels that an EPD employee gave inaccurate information to her about an incident at Alton Baker Park. | Cpt. researched the issue and learned via the city attorney that EPD's interpretation of the permit in issue was wrong. Cpt. had a productive conversation with RP about the situation. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|------------------------------|--|--|
| 7/12/2013 | 8/16/2013 | 34 | Performance | RP was upset that when officers respond to his calls for service about his neighbor mocking and taunting him and harassing his cat, nothing is done. | Sgt. reviewed calls and learned that there had been no probable cause for a citation or arrest in the incidents described. Sgt. spoke with RP who stated he had moved from the apartment and things were going better. Sgt. provided RP with additional information on the Harassment Statute. |
| 7/25/2013 | 8/6/2013 | 11 | Policy | RP was upset that his neighbor, an EPD officer, was driving a vehicle from out of state for more than 30 days without changing it to OR plates. | Lt. learned that the vehicle was actually an EPD vehicle assigned to the officer in undercover work. RP's phone number was disconnected so no follow up with RP. |
| 7/25/2013 | 8/9/2013 | 14 | Policy | RP questioned why parents were not told of a criminal investigation into a school resource officer. | Chief spoke with RP about the need to maintain confidentiality in a criminal investigation and to maintain prosecutorial advantage before a plea. Also that even though the officer had plead guilty to the crime and been sentenced the investigation is on going and any behavior that might still be reported by a student will be looked at. |
| 7/25/2013 | 8/27/2013 | 32 | Inquiry | RP wished to document interactions she had had with an officer. | Sgt. spoke with RP about her interactions and documented them. |
| 7/26/2013 | 8/23/2013 | 27 | Inquiry | RP inquired into rather or not he was able to go to his mentally disabled friend's apartment since during a mental crisis. RP helps his friend out with rides etc. | Sgt. spoke with officer involved in the situation who noted that RP had access to the apartment complex but not the friend's apartment. Sgt. spoke with RP about trespassing statues and how they apply in his situation. |
| 7/25/2013 | 7/29/2013 | 4 | Policy Dismissed: Timeliness | RP was concerned about the search and arrest of her son at an area high school in 2010. | Dismissed: Timeliness |
| 7/28/2013 | 8/28/2013 | 30 | Performance | RP reported an EPD patrol car speeding on 5th street, flip a U-turn and them accelerated toward him and his family causing them to have to dash out of the way. | Sgt. spoke with officer about the incident and learned he believed the family had already cleared the street before he activated his lights, Sgt discussed perceptions and being aware of his surroundings and driving habits. |
| 7/29/2013 | 8/8/2013 | 9 | Inquiry | RP inquired into the procedures at PCU for retrieving his belongings placed on a safe hold. | Sgt. looked into the issue with RP's belongings and learned that since RP had last contacted PCU the paperwork for the belongings had cleared, PR now only needed an appointment to pickup his belongings. Sgt. left messages with RP about her findings. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|---|
| 7/29/2013 | 8/19/2013 | 20 | Inquiry | RP related an incident in which a child had been separated from his mother and family at an event and when an officer was notified was told there was nothing he could do since the area was fenced in. | Sgt. spoke with an officer about the incident and learned that officer noted that the child did not appear to be upset or panicked. The child then approached a woman and another child and the officer believed he had found his mother. Only later when confronted by the grandmother did he learn that the woman was not the mother. Sgt. spoke with RP and the grandmother about his findings and with the officer about expectations while helping citizens. |
| 7/29/2013 | 9/5/2013 | 36 | Inquiry | RP was concerned about information she was told by a dispatcher in reference to permits given to a venue near her home in rural Lane County and the implications that would have on dispatching help in her area. | Supervisor reviewed call and researched the area and the services in question and learned that the call taker had spoken in error about the permit and issues around events at the venue. Supervisor spoke with RP about her concerns and findings. |
| 7/29/2013 | 8/22/2013 | 23 | Inquiry | RP was upset that she was cited for a suspended license when the woman at the court had just told her 30 minutes before that if she began payments on her outstanding citations that would not happen. | Sgt. learned that the officer noticed the vehicle from a previous stop and when he ran the plates thru DMV it came back as suspended, the paperwork RP gave the officer from the court did not clearly state rather or not she was suspended so the officer followed policy and made the citation. The Sgt. spoke with RP about his findings. |
| 7/31/2013 | 9/6/2013 | 36 | Performance | RP was upset that she overheard an officer advise a woman who was chasing her children around the parking lot at midnight that it was ok to hit her kids as long she doesn't bruise them. | Sgt. spoke with officer about the incident and learned that the officer did have a conversation with the woman explaining the law regarding a parent's right to use reasonable force in disciplining their children. Sgt. spoke with RP about his findings. |
| 7/31/2013 | 8/28/2013 | 28 | Inquiry | RP questioned a traffic stop of her son in which she believes officers were just fishing and told he must remove the sticker on the window of his car or risk a citation. | Sgt. spoke with officers about the stop and learned that stop was conducted due to the sticker violation and that the driver appeared to be much younger than the listed owner of the vehicle. When officers learned that the driver was the son of the owner he was given a warning about the violation. Sgt. spoke with RP about his findings. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--|--|---|
| 8/2/2013 | 8/5/2013 | 3 | Performance | RP was upset that a call taker was rude to her during a call and on a previous day had given her inaccurate information related to a domestic violence issue. | Supervisor spoke with RP about her concerns and then researched the calls and was unable to find the domestic violence issue, the other calls revealed no rudeness or disrespect by the call taker. Supervisor attempted to recontact RP with her findings. |
| 8/2/2013 | 8/21/2013 | 19 | Inquiry | RP was upset that officers did not cite, arrest or take the gun away from a male friend of her daughter who pointed a gun in the face of her daughter and her friend. | Sgt. learned that an officer responded to the call for service and the male friend was gone, the story about what had happened was muddled by the fact the girls were intoxicated at the time. Officers followed up with the male at his home who denied the allegation and the girls then declined to prosecute. Officers followed policy in their investigation. Sgt. spoke with RP about his findings. |
| 8/3/2013 | 8/5/2013 | 2 | Courtesy | RP complained that an officer was rude to her during an interaction as he was leaving a call for service. | Sgt. spoke with RP and then with the officer about RP's interpretation of their interaction. |
| 8/2/2013 | 8/5/2013 | 3 | Performance Dismissed: Outside Jurisdiction | RP was unhappy about how a burglary report at his home was handled. | Dismissed: Outside Jurisdiction |
| 8/3/2013 | 9/5/2013 | 32 | Performance | RP's were upset about how the investigation of an accident was handled. | Sgt. spoke with RP's about his findings that Officer followed policy in the accident report. |
| 8/5/2013 | 8/28/2013 | 23 | Performance | RP reported that while crossing the street near her home she had to yell at an officer to get his attention so he would stop for her. RP is 7 months pregnant and was frightened by the situation. | Lt. spoke with officer who stated he was at fault in the situation and asked for the Lt. to apologize to RP on his behalf. Lt. spoke with RP and issued a warning to the officers to be aware and drive carefully. |
| 8/5/2013 | 9/16/2013 | 41 | Performance | RP questioned why it took so many officers to deal with a stolen bike situation. Also why the 911 center can not locate him with the GPS on his cell phone. | Sgt. learned that during the bike incident officers were trying to cut the lock to return the bike to it's owner, and that as long as his phone is set up with GPS features 911 would be able to use the GPS system. |
| 8/5/2013 | 9/12/2013 | 37 | Performance | RP was upset about how an officer handled a report of her dog being stolen. | Sgt. followed up with person who had the dog and learned it was a different dog, pictures were taken to show RP. The original officer's assessment that the dog was not the one in question was accurate. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|--|
| 8/1/2013 | 9/3/2013 | 32 | Inquiry | Internal: Officer may have taken property from a search warrant and converted it as art for his office. | Sgt. found that the property had been with the detective who was running the case being used for case research, this officer was unaware the item had not been listed on the property list. No attempt was found by anyone to convert the item to personal use. |
| 8/6/2013 | 9/10/2013 | 34 | Performance | RP was upset that updates to his car break-in case were not noted in his file by EPD and his case suspended. | Sgt. spoke with RP and learned that another agency had arrested someone who had his license but that information had not been forwarded to EPD. Sgt. offered to do a follow up on the case. |
| 8/7/2013 | 8/21/2013 | 14 | Courtesy | RP was upset that an officer was rude and short with her during a traffic stop, and then believed the officer lied about the citation in court. | Sgt. reviewed ICV and noted the officer's demeanor was somewhat abrupt and direct with RP and the court issues she disputed were misinterpretations of police procedures. Sgt. spoke with the officer about his demeanor with citizens and with RP about his findings. |
| 8/8/2013 | 8/21/2013 | 13 | Policy | RP questioned why EPD did not enforce city ordinances concerning bike riding on 6th and 7th Avenue and West 11th. | Lt. reviewed City Code related to traffic and bicycle operation in the city limits. Lt. spoke with RP that she was unable to locate any such code and that bicycles are considered to be a motor vehicle for the purpose of enforcing traffic laws. |
| 8/8/2013 | 9/10/2013 | 32 | Performance | RP was upset that officers refused to give a man a sobriety test after he had backed into his truck. | Sgt. spoke with officers about the incident and learned that neither felt that the man was intoxicated and had no probable cause to perform the test. Sgt. spoke with RP about his findings. |
| 8/8/2013 | 8/23/2013 | 15 | Performance | RP inquired into what was happening on her son's assault case, since officers had not responded to her phone calls. | Sgt. learned officer took a report and then went on days off out of town, when RP called about video surveillance at a nearby store, dispatch requested from Supervisor a different officer be assigned, unfortunately this was not followed through on. When the original officer returned he followed up and a suspect was identified. RP was happy with the handling of the case. |
| 8/7/2013 | 8/29/2013 | 22 | Inquiry | RP alleged that the 911 center is ignoring his reports of criminal activity that he is seeing near Skinner's Butte Park. | Supervisor listened to the call in question and noted the call taker was professional and had entered a call for service. Supervisor spoke with RP about his concerns. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|--|---|
| 8/9/2013 | 9/17/2013 | 38 | Inquiry | RP was upset that when she flagged down an officer after being assaulted he told her to call 911 he was on another call. | Sgt. was able to identify the officer involved and learned that when approached by the woman she said her purse was missing, she did not appear panicked or distraught at the time and was told to call 911 since he was finishing up a prior call. ICV collaborated the officers memory of the incident and a criminal investigation for the woman's attacker continues. |
| 8/12/2013 | 8/29/2013 | 17 | Inquiry | A Fire Department employee questioned how an officer handled an incident in which he transported a homeless woman to a park, instead of to the emergency room. | Sgt. learned that the EFD personnel had third hand information about what had happened, but that the officer transported the woman who had left the hospital after refusing service, to an area in the park where she would be more comfortable, after offering food, water, and medical help which was also refused. Officer had advised dispatch of his courtesy transport. |
| 8/12/2013 | 10/1/2013 | 49 | Inquiry | RP was upset that officers forced him to leave his belongings during an eviction even though the Sheriff's Office told him he could move things to the yard. | Lt. learned that RP had been given time lines for removal of his belongs, and EPD officers allowed additional time, but when officers returned RP and his friends were escorted from the property. No policy violations were found, RP did not return messages from Lt. |
| 8/14/2013 | 8/28/2013 | 14 | Performance | RP complained that on officer did not show up in court because he knew he was "grossly in error" when issuing a citation. | Sgt. learned officer had an excused absence on the day of court and that RP's citation had been dismissed. Sgt. spoke with RP about his concerns. |
| 8/8/2013 | 8/29/2013 | 21 | Performance | RP was upset at the service he received in regard to a situation he felt was a custodial interference issue. | Cpt. reviewed records and recordings of issue and learned officer involved was professional and courteous, yet direct in his handling of the issue. Cpt. spoke with RP about his findings and helped direct him to the civil court process he needed. |
| 8/15/2013 | 9/12/2013 | 27 | Inquiry | RP complained that an officer falsely arrested him after his neighbor struck him with a nine iron. | Sgt. learned that officers had probable cause to arrest RP due to his aggressing his neighbor. |
| 8/19/2013 | 9/16/2013 | 27 | Performance | RP was upset that officers did not search a woman who grabbed his belongings and took his prescription medication. | Sgt. learned that RP did not have witnesses nor did he claim the medication was missing while the woman was still in the officers presence. Sgt. was unable to located RP to discuss the incident. |
| 8/19/2013 | 10/1/2013 | 42 | Performance | RP alleged that during a call for service regarding his mentally ill son a supervisor did not handle the situation correctly. | Sgt. learned that in fact the situation was handled correctly by the supervisor due to the constitutional rights of an adult son. Sgt. spoke with RP about his findings. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--|---|--|
| 8/19/2013 | 8/27/2013 | 8 | Inquiry | RP alleged officer used excessive force when he was handcuffed by forcing him to the ground and reinjuring a knee. | Sgt. reviewed records including ICV of the incident and learned that after RP become verbally agitated and refused commands to sit on the bench the officer guided RP to the bench with a hand on his shoulder and waist. No excessive use of force was seen. |
| 8/15/2013 | 8/27/2013 | 12 | Performance Dismissed: Outside Jurisdiction | RP was unhappy that no response was made to his friend who tried to report explosives that had been used on his property by unknown persons. | Dismissed: Outside Jurisdiction |
| 8/22/2013 | 10/1/2013 | 39 | Inquiry | RP was concerned about how a call taker handled a call in which CPR was being done. | Supervisor listened to the call in question and noted that the call taker handled the call according to protocol, but that the call taker's tone was not as professional as it should have been. Supervisor spoke with RP and with the employee about the issue. |
| 8/22/2013 | 9/4/2013 | 12 | Inquiry | RP believes that EPD bike officers are harassing him since he has been in the processing of obtaining his OMMMP card (medical marijuana). | Sgt. reviewed arrest records and incidents involving RP and noted that RP is using the Oregon Medical Marijuana Law to try and shield himself from drug dealing charges, each instance that RP was arrested contained probable cause for an arrest. |
| 8/23/2013 | 9/23/2013 | 30 | Inquiry | RP alleged that he was assaulted at the 7-11 store and that the officer who arrived arrested him, while manhandling him, and would not listen to what had happened. | Sgt. reviewed police report and viewed ICV of the incident in which RP took full blame for starting the incident. Sgt. spoke with RP about the incident and his findings that were contrary to RP's allegations. |
| 8/24/2013 | 8/27/2013 | 3 | Performance | RP was upset that a dispatcher would not sent an officer about a flyer left on his windshield. | Lt. spoke with RP about the issue and followed up with the person who left the flyer. |
| 8/9/2013 | 9/23/2013 | 44 | Inquiry | Internal inquiry into horse play by employees that resulted in a dislocated finger. | Sgt. researched incident and forwarded his findings to the chain of command. |
| 8/20/2013 | 10/1/2013 | 41 | Inquiry | RP was concerned that he was arrested falsely by the SWAT team. | Sgt. learned that the probable cause for the arrest was issued by LCSO and EPD was only an assist in the issue. Sgt. spoke with RP about his findings. |
| 8/28/2013 | 9/5/2013 | 7 | Courtesy | RP was upset that on officer made her leave the sidewalk in front of White Bird. She felt the officer was out of line. | Sgt. learned that the area RP was sitting was private property with a trespass letter on file and not the sidewalk in front of Whitebird as claimed. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|-----------------------------------|--|---|
| 8/29/2013 | 10/7/2013 | 38 | Performance | RP complained that an officer has not returned her phone calls about her missing ID. | Sgt. spoke with officer about the ID and the unreturned calls. Officer had been on vacation. Sgt. tried numerous times and was unable to contact RP. |
| 8/29/2013 | 9/13/2013 | 14 | Inquiry | RP complained that officers would not release his money and belongings from PCU even though the DA's office will not file on his case. | Lt. learned that EPD had filed a appeal in the cases in question and that once a decision was made by the DA's office RP may or may not have his items returned. |
| 8/29/2013 | 10/7/2013 | 38 | Policy | RP was upset at an officer's testimony about ICV in court concerning a citation he received. | Lt. learned that officer's patrol car was not equipped with ICV and so the officer could not present that testimony in court, Lt. also spoke with RP about his findings and the language and Vehicle Code that applied to his infraction. |
| 9/1/2013 | 10/4/2013 | 33 | Performance | RP was frustrated with driving she observed by a patrol vehicle. | Lt. found that the number given for the patrol vehicle was not one of EPD's, RP left no contact information for contact. |
| 8/30/2013 | 10/1/2013 | 31 | Courtesy | RP complained that the officer who gave him a tinted window ticket was rude and threatening, would not take off his sun glasses and did not take into consideration that he had a doctor's prescription for a darker tint. | Sgt. spoke with RP about the policies involved in the stop and spoke with the officer about the stop. |
| 9/5/2013 | 10/21/2013 | 46 | Courtesy | RP felt that an officer treated him like he was a pain, offered no resolution | Sgt. learned that an on going neighbor dispute was in progress and that officers talked to all parties about their behavior, but no crimes had been committed. Officers acted within policy and RP was advised of the findings. |
| 8/30/2013 | 10/7/2013 | 37 | Service Level | RP reported he could not get a call back from an officer who had helped him with an illegal dumping issue. | Sgt. learned that officer did return the call after days off, and when he spoke with RP he was happy with the outcome of his issue. |
| 9/4/2013 | 9/9/2013 | 5 | Other Dismissed: Alternate Remedy | RP felt EPD violated state law by setting up a gravity well speed trap. | Dismissed: Alternate Remedy |
| 9/4/2013 | 10/2/2013 | 28 | Policy | RP could not understand why a whole lane of the Ferry Street Bridge had to be blocked off during the UO football games. | Sgt. spoke with RP about the purpose of the traffic change during this high traffic time. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|--|---|
| 9/6/2013 | 10/1/2013 | 25 | Service Level | RP was upset about the general lack of response by EPD to crimes in his neighborhood. In a recent incident when he reported juveniles shooting a BB gun in the area and then threatening him no one responded or followed up with him. | Supervisor learned after reviewing RP's call that a call for service was initiated and that it documented RP was available for contact if a suspect was found. Hence no contact was made with RP. Supervisor felt an officer should have been dispatched to take a report even though no suspect was found and communicated that to the call taker and RP. |
| 9/6/2013 | 9/12/2013 | 6 | Inquiry | RP feels that EPD downtown officers are only stopping homeless people and believes laws are not being enforced equally. | Sgt. based on his knowledge of 20 years on the force noted that each stop is based on a probable cause or reasonable suspicion of wrong doing and that an outside observer not knowing full details of the stop may not see the same thing an officer saw. Sgt. also noted that profiling based on socio economic status or appearance is not tolerated by EPD's chain of command. Auditor's office communicated Sgt's. findings to RP. |
| 9/6/2013 | 9/30/2013 | 24 | Performance | RP was upset that during an U of O football game an officer ignored calls from help for a person who passed out due to the heat. | Cpt. was unable to identify involved employee but was able to explain to RP that several medical calls for service were received from his section of the arena and the Red Cross was dispatched. Cpt. also assured RP that at the next pre football meeting he would speak to his officers about the need to render first aid as a priority. |
| 9/6/2013 | 10/7/2013 | 31 | Performance | RP felt an officer did not take him seriously when he made a call for service about a stolen phone and assault since he was victimized by an ex-girlfriend. | Sgt. learned that at the time of call RP was unable to provide significant information about a suspect, first name only, RP was to recontact officer with more details so the case could proceed. RP did not recontact the officer and did not return phone calls to the Sgt. |
| 9/8/2013 | 9/13/2013 | 5 | Inquiry | Internal report that a Community Service Officer applied handcuffs to an intoxicated subject being tended to by paramedics. | Sgt. spoke with CSO about only using the tools issued to him by EPD for his job. |
| 9/5/2013 | 10/2/2013 | 27 | Performance | RP was upset for receiving such "special service" from EPD when 3 officers showed up at his home in the middle of the night with limited info on a stolen laptop. | Lt. looked into the response and learned that the laptop in question had a Lojack system and the reading identified RP's residence as the place the computer was at. Once the Lt. explained the circumstances RP was satisfied with what had happened. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|--|
| 8/5/2013 | 10/24/2013 | 79 | Inquiry | RP posted a Facebook concern about officers who told his friends that nothing could be done about a possible bias crime assault. | Sgt. reviewed police report and spoke with officer about the incident in which there was insufficient suspect information and suspects were not immediately located. Victims were notified that without more detailed information the case would be suspended. Sgt. noted no policy violation. RP did not leave contact information. |
| 9/10/2013 | 10/7/2013 | 27 | Inquiry | RP was upset that an officer was driving while on a cell phone and appeared to be on a personal call from his body language. | Lt. was unable to identify the officer driving the vehicle but followed up with RP about the incident. |
| 9/11/2013 | 9/30/2013 | 19 | Performance | RP was concerned when he noticed an EPD patrol call pointing the wrong way on the shoulder of the freeway. | Sgt. learned that the officer had responded to a call of a female walking in traffic and the median of the roadway. Sgt. talked with RP about the need for officers to respond in the way they did in this instance. |
| 9/11/2013 | 10/28/2013 | 47 | Performance | RP was upset that an elderly gentleman who struck her as she walked across a parking lot was not cited, only submitted for a retest by DMV. | Sgt. learned that officers saw no signs of injury to RP, asked if she wanted medics to be called which she declined, officer helped with information exchange and turned in paperwork for the DMV retest on the elderly driver. Sgt. found no policy violations. Sgt. spoke with RP about his findings, clarified policy that EPD follows in a traffic incident. |
| 9/12/2013 | 9/16/2013 | 4 | Policy | RP questioned why officers are allowed to park facing the wrong way on a street. | Cpt. spoke with RP about policy where officers park for their safety. For example parking down the street when approaching a house so occupants can not see them coming. |
| 9/13/2013 | 10/14/2013 | 31 | Policy | RP inquired into what area of a skate part was school property and what area was city park area - RP had exclusions and did not want to end up in the wrong area. | Lt. researched the issue to define the area in question, but was unable to contact RP. |
| 9/13/2013 | 10/23/2013 | 40 | Performance | RP was upset that an officer told her and a neighbor to act like adults during one of many altercations the two have had. | Sgt. spoke with RP about her concerns and the issues she has had with her neighbor and how officers must be neutral and have probable cause before they can cite or arrest. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|--|--|
| 9/13/2013 | 9/19/2013 | 6 | Inquiry | RP alleged that an officer came into the Pub where he and a friend were having a beer and demanded they leave. | Sgt. learned that the officer had noted two subjects drinking alcoholic beverages from containers at a table that did not look like they had been sold at the establishment. After checking with employees he learned RP had brought beverages into the Pub. Employees asked the officer to have the people leave. |
| 9/12/2013 | 9/30/2013 | 18 | Inquiry | RP was concerned about an EPD patrol car that was coming down the Ferry Street Bridge on to Broadway and a very high rate of speed. | Lt. researched the issue and found the officer was responding to an assault in progress call and spoke with officer about being aware of his driving at all times. Sgt. Lt. spoke with RP about his findings. |
| 9/12/2013 | 9/16/2013 | 4 | C courtesy | RP complained that an officer at the airport was rude and unhelpful when she asked him a question. | Sgt. spoke with officer about the incident and learned that RP had made a odd request and officer had tried to joke with RP, now realizing his words had been misinterpreted. Sgt. spoke with RP about his findings and then RP too realized what had happened, stating, "Oh. I could see that now." |
| 9/14/2013 | 9/18/2013 | 4 | Performance | RP was upset that a friend who is homeless was assaulted and no charges were filed. RP believed the same level of service was not provided to her friend. | Lt. reviewed records of the incident and learned RP's friend was the aggressor in the incident and that the other party defended himself. Lt. spoke with RP about the incident. |
| 9/13/2013 | 10/7/2013 | 24 | Performance | RP observed an officer do a rolling stop through a light at 7th and the Washington Jefferson St. bridge. | Sgt. spoke with officer who remembered being in the area but did not remember a rolling stop. Sgt reminded officer to be cautious of his driving at all times. |
| 9/9/2013 | 9/18/2013 | 9 | Inquiry | Chief received a 2nd hand report that someone was unhappy about how they were patted down during a DUII arrest. | Dismissed: Pending further contacted from party involved. |
| 9/17/2013 | 9/18/2013 | 1 | Inquiry | RP noted an unmarked police vehicle with lights in its grill did not maintain its lane. | Vehicle not identified as EPD. |
| 9/18/2013 | 10/1/2013 | 13 | Inquiry | RP was concerned about what he felt was harassing behavior by an officer who is his neighbor. | Sgt. spoke with RP about his concerns. RP was unable to articulate any specific behavior that indicated misconduct. |
| 9/20/2013 | 9/30/2013 | 10 | Courtesy | RP felt that an officer essentially called her a liar when she told him she had kept a hand on the wheel at all times when she signaled a lane change. RP was upset that her honesty was questioned. | Sgt. reviewed ICV of the stop and spoke with RP about the issue and agreed to speak with the officer about her concerns. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|--|
| 9/13/2013 | 10/7/2013 | 24 | Performance | RP was unhappy about the level of service she received after an altercation at a downtown bar. | Lt. reviewed the police reports and ICV and learned that officers found probable cause to cite both parties in the incident and that both parties would be arrested if they wished to press charges. Lt. spoke with RP about the incident. |
| 9/23/2013 | 10/21/2013 | 28 | Performance | Auditor initialed complaint to review a dispatch call in reference to a hate crime. | Supervisor reviewed intake and learned a call for service was entered and RP told it would take sometime for an officer to arrive due to heavy call volume. Two other calls were made to dispatch to check in on RP and to advise officers would still be dispatched when available. No policy violations were noted. |
| 9/23/2013 | 4/14/2014 | 201 | Inquiry | Internal: Allegation of hostile work place by employees in communications. | Sgt. and HR interviewed involved parties and found issues did not constitute a hostile work environment. Matter referred to chain of command for review. |
| 9/11/2013 | 12/12/2013 | 91 | Inquiry | Internal: Officer used a boxing technique in a manner that was not appropriate for the situation. | Sgt. reviewed the incident and directed officer in providing more training. |
| 9/17/2013 | 11/25/2013 | 68 | Inquiry | RP inquired into an issue in which an employee of his claimed that an officer showed up late for trial and then lied in court about the citation. | Sgt. contacted the employee who did not want to file a complaint. |
| 9/26/2013 | 10/10/2013 | 14 | Inquiry | RP alleged that an animal control officer engaged in a profanity laced argument with an unknown male and then took a tire iron to his van. | Sgt. researched the incident and learned that the animal control officer was in the area when this incident took place between two other males an related incident # was found to collaborate the incident. Sgt. spoke with RP about his findings. |
| 9/26/2013 | 10/8/2013 | 12 | Inquiry | RP alleged that officers entered his home without a search warrant, woke his son in an upstairs bedroom and arrested him on a bench warrant. | Sgt. reviewed the incident and found that officers had been dispatched to the home on an incomplete 911 call, they arrived to find the front door ajar, announced their presence through the door and after no response-used the Community Care Taking Statute to enter the home where they found two unattended toddlers. After a search of the home they awakened RP's son and in the course of identifying him learned that he had a bench warrant. Sgt. spoke with RP about the unusual but within policy circumstances of the incident. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|---------------------------------------|---|---|
| 9/27/2013 | 1/23/2014 | 116 | Inquiry | RP was concerned that his son who was picked up by the EPD Party Patrol van was not allowed to use the restroom for almost 5 hours. | Lt. and chain of command realize that there was no stated policy on jail van operations. A Policy has now been written and pending approval by Senior Command Staff. RP was notified of the findings. |
| 9/30/2013 | 10/2/2013 | 2 | Inquiry Dismissed Alternate Remedy | RP complained that an officer who pulled over her friend was defensive with her when she denied driving while intoxicated. | Dismissed: Alternate Remedy |
| 9/30/2013 | 11/4/2013 | 34 | Inquiry | RP stated that about 10:00 p.m. an EPD patrol car drove through the parking lot of her apartment complex with lights and sirens going. She felt it was unsafe and someone could have been hurt. | Sgt. reviewed ICV of the incident and learned officer had been dispatched and no driving safety issues were noted. Officer had been retrieving belongings from a friend who lived in the complex. RP did not return calls to discuss the issue. |
| 9/28/2013 | 10/30/2013 | 32 | Performance | RP felt that a call taker was reluctant to dispatch officers when she called about homeless people sleeping on the steps of the business she was trying to enter. | Supervisor found that the call was triaged correctly and after RP called back with information that the people did not have permission to be on the property as they claimed officers were dispatched within minutes. Supervisor spoke with RP who declined to review the CAD details. No policy violation. |
| 10/1/2013 | 10/21/2013 | 20 | Policy | RP was upset that after repeated calls to EPD she can not get anything done about the illegal campers in her neighborhood. | Lt. learned the issue was handled with in the confines of the law once signage was posted regarding camping prohibitions. |
| 10/1/2013 | 10/24/2013 | 23 | Performance | RP was upset that a call taker would not dispatch an officer when people he walked past on Coburg Road asked him for money and made sexually explicit comments to him. | Supervisor learned that the call taker who had triaged the call determined it did not meet the standard of a criminal act. Call taker also verified his findings with a supervisor and a watch commander. No policy violation. RP did not leave contact information for a return call. |
| 10/2/2013 | 10/30/2013 | 28 | Courtesy | RP was upset that a call taker on the non emergency line was unprofessional and hung up on his elderly wife while she was asking advice about a traffic light situation. | Supervisor reviewed the call and found the call taker could have done a better job of indicating that putting RP on hold and finally hanging up was due to a 911 call coming in. Supervisor spoke with RP and the call taker about her findings. |
| 10/4/2013 | 11/4/2013 | 30 | Performance | RP was upset that officers came to her apartment about 1 am looking for a woman that did not live there. | Sgt. reviewed records of the incident and learned that officers went to the address to contact a person who had warrants, the last know address of the person was at RP's address. Sgt. spoke with RP about his findings. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|--|
| 10/8/2013 | 10/14/2013 | 6 | Courtesy | An anonymous person submitted a letter alleging rudeness by an officer. | Sgt. spoke with officer about the incident. |
| 10/7/2013 | 10/14/2013 | 7 | Inquiry | RP alleged her friend was arrested instead of cited when he asked an officer questions. | Sgt. learned the arrest instead of citation was because it had been the 2nd stop of the same person, and the officer felt a citation was not significant enough to deter the behavior of the suspect. Sgt. spoke with RP about his findings. |
| 10/9/2013 | 12/2/2013 | 53 | Inquiry | RP complained that an officer pulled up behind her at an intersection with lights flashing, before she had a chance to pull over he was rapping on her window with a flashlight and then berated her for a turn she had made, the officer never asked for her name or information and let her go. When she called EPD they had no record of the stop. | Sgt. reviewed ICV of the incident and spoke with officer about expectations of conducting a traffic stop. Sgt. spoke with RP about the incident. |
| 10/9/2013 | 11/8/2013 | 29 | Inquiry | RP was concerned that his friend, a stabbing victim was required to try and ID his assailant just hours after coming out of a medically induced coma, resulting in a dangerous criminal being let loose in the community. | Sgt. reviewed reports by officers and learned that the DA's office asked for the photo lineup at the time because the victim was the only witness. Learned from DA that a prosecution was still possible and the case was not closed. Sgt. spoke with RP about his findings. |
| 10/10/2013 | 10/21/2013 | 11 | Inquiry | RP alleged that when officers arrested her for trespass they handcuffed her too tightly and threw her into the patrol car. Also abuse by jail personnel. | Sgt. reviewed police reports and ICV to find that RP was given option of leaving premises or being arrested - preferred to be arrested and then resisted officers by dropping to the floor after being handcuffed. Officers also put RP in patrol car using standard procedures of protecting the head so as not to bang it on the door frame. RP did not return phone calls to Sgt. |
| 10/10/2013 | 11/4/2013 | 24 | Performance | RP is concerned that EPD many times parks it's prisoner transport van on the sidewalk near the town down station. | City ordinance and ORS gives police vehicles an exception to this parking issue. The sidewalk is also 31' wide at this point and leaves 24' of space for pedestrians. |
| 10/11/2013 | 10/23/2013 | 12 | Inquiry | RP wanted to verify that a report was taken about her neighbor who used her vehicle and threat of oxygen tanks to keep people away from the designated smoking area. | Sgt. verified that an incident report had been taken and spoke with RP. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|---|---|---|
| 10/11/2013 | 11/25/2013 | 44 | Performance | RP alleged that on officer did a poor job of following up on a hit and run accident that he was the victim of . | Sgt. found that officers followed up with investigation in a timely manner and found no probable cause, investigation was delayed by RP not contacting police as soon as information was available and not returning the officers phone calls. RP did not return call to Sgt. to talk about complaint. |
| 10/16/2013 | 12/30/2013 | 74 | Inquiry | RP was unhappy about how officers handled her call for service concerning a child custody transfer. | Lt. spoke with officers and reviewed records and learned officer processed the incident concerning the child custody issue with in policy. Communications Supervisor found that one RP's calls could have been dispatched in a more timely manner and one of the call taker's who handled RP's many calls could have been more professional. RP was notified of the findings. |
| 10/16/2013 | 10/22/2013 | 6 | Inquiry | RP who was not present at the incident alleged that an officer knocked her intoxicated boyfriend down, kneed him in the neck and took 23 dollars. | Sgt. reviewed incident and spoke with witness. He found no wrong doing by officer. Complaint closed. |
| 10/16/2013 | 10/16/2013 | 0 | Inquiry Dismissed: Outside Jurisdiction | | Dismissed: Outside jurisdiction |
| 10/16/2013 | 11/15/2013 | 29 | Performance | RP was frustrated that an officer would not return his calls about an incident in which his roommate issued a bad check. | Sgt. reviewed records of the call for service and spoke with officer and learned that officer had put out an APB on the suspect but did not return phone calls to RP. Sgt. spoke with RP about the status of his report. |
| 10/18/2013 | 10/31/2013 | 13 | Inquiry | RP was upset because a traffic stop in which he had been given a warning showed up on his DMV record and caused him to have a higher insurance rate. | Cpt. checked information on the stop, checked with DMV and learned that it was not the warning that had been listed with DMV but another violation from a different jurisdiction. (EPD does not send warnings to DMV) Cpt. spoke with RP about his findings. |
| 10/21/2013 | 11/4/2013 | 13 | Inquiry | RP was concerned that her mother's death report was not accurate. RP stated that it did not reflect that she noticed her mother's heart beating after the paramedics had called time of death and left the scene and the officer refused to recall them saying that was normal. | Lt. reviewed records and learned that only after EMT's had authorization from Emergency Room doctors did they called time of death and that more than one officer was present to note that RP's mother had died. Lt. spoke with RP about her findings. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|---|--|---|
| 10/21/2013 | 12/2/2013 | 41 | Inquiry | RP was upset that an officer showed up at her home with some acquaintances to retrieve their belongings without calling first. | Sgt. reviewed the incident and spoke with RP. |
| 10/23/2013 | 11/25/2013 | 32 | Inquiry | RP inquired into a missing teen who's case had been labeled run-away instead of missing. | Sgt. looked into records and found that the missing teen had been found the day after the complaint was called in. Sgt. spoke with RP about the incident. |
| 10/24/2013 | 12/10/2013 | 46 | Policy | RP was upset that officers would not stop and get an update from her about a call for service in which her son was having a psychotic episode and had a machete. RP believes that since the family had disarmed her son officer did not need to have guns drawn. | Sgt. had debriefed the incident at the scene with officers and was aware of RP's complaint. Sgt. spoke with RP about the policy around the response. |
| 10/25/2013 | 11/25/2013 | 30 | Inquiry | RP was upset that officers would not arrest a man he had put in citizens arrest for pushing and shouting at an elderly woman who had backed into his vehicle in a parking lot. | Lt. reviewed records and learned that the woman involved did not want to press charges and only wanted to leave the scene, officer facilitated information exchange for the accident. Lt. found the officers handling of the incident with in policy and spoke with RP. |
| 10/25/2013 | 10/29/2013 | 4 | Inquiry Dismissed: Outside Jurisdiction | RP noted a White Crown Vic patrol car using excessive speed on Beltline and River Road. | Dismissed: Outside Jurisdiction EPD does not own a white Crown Victoria. |
| 10/28/2013 | 12/30/2013 | 62 | Policy | RP was concerned about an incident in which he and friends were crossing Franklin and a police care blipped its siren and went through the intersection 6 ft. from the pedestrians scaring them all. | Sgt. reviewed ICV of the traffic stopped and noted that the officer blipped his siren as he slowed at the intersection and veered his car away from the pedestrians as he initiated a traffic stop for a red light runner. Sgt. contacted RP with his findings. |
| 10/28/2013 | 10/30/2013 | 2 | Performance Dismissed: Timeliness | RP filed a complaint about a previously filed incident by another party, concerning an eviction. | Dismissed: Timeliness |
| 10/31/2013 | 11/20/2013 | 20 | Policy | RP has a couple of concerns about EPD's customer service, that the non emergency line is cumbersome and frustrating to use and that he can not get EPD to respond in a timely manner to the apartment complex he manages. | Lt. spoke with RP about his concerns and notified patrol of his concerns to increase patrols. |
| 11/1/2013 | 11/3/2013 | 2 | Inquiry Dismissed: Other | A third party noted that a court defendant alleged that an officer directed profanity towards him. | Dismissed: Other Defendant did not provided enough information for complaint to go forward. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|---|
| 10/31/2013 | 12/12/2013 | 42 | Inquiry | RP alleged that a call taker would not dispatch an EMT when she called to report a memory care patient who claimed to have been assaulted during the night. | Supervisor reviewed the calls and learned that an officer was dispatched but calls for service caused a delay, call taker should have made a follow up call to RP to advise of the delay. RP has not returned calls of Supervisor. |
| 9/30/2013 | 2/13/2014 | 133 | Policy | RP inquired into rather EPD has quotas for DUII arrests and if so if this may lead to shaky or meritless arrests. | Auditor researched the date available for Eugene and national DUII arrests and found Eugene to be right at the national and state average. Correspondence was made with RP about his research and findings |
| 11/5/2013 | 12/17/2013 | 42 | Courtesy | RP complained that an officer called her a liar and threatening to take her to jail. | Sgt. spoke with the officer about the stop which was in a school zone when students were present. Sgt. spoke with RP about his findings. |
| 11/5/2013 | 12/10/2013 | 35 | Use of Force | RP was concerned that an officer tackled him from behind with no warning, RP feels this was excessive for only carrying a beer. | Sgt. reviewed police reports which noted officers saw two males carrying open containers of beer and when officers called out for the males to stop they continued moving away. An officer used an arm bar hold to escort RP to the ground. Sgt. noted no policy violations, RP did not return phone calls. |
| 1/5/2013 | 12/19/2013 | 44 | Performance | RP felt an officer was unprofessional in handling his computer hacking case. Not investigating the issue. | Sgt. reviewed the records of the case the report details the officers efforts to investigate the hacking and his repeated efforts to contact RP who did not return the officers calls. Lt. spoke with RP about his findings who stated he was mistaken about the officers efforts and was satisfied about the effort. |
| 11/5/2013 | 11/18/2013 | 13 | Courtesy | RP feels an officer is targeting his friend, and told him "Why don't I take off my badge and well go around the corner and deal with this?" | In the incident the officer could have cited the complaints for a crime but chose not to. Sgt. spoke with RP about the incident. No evidence of a threat. |
| 11/6/2013 | 11/18/2013 | 12 | Inquiry | RP complained that an officer searched his person without probable cause when citing him for less than an ounce of marijuana. | Sgt. reviewed records and body cam of officer involved and found that the officer had probable cause for the search and the citation and spoke with RP about his findings. |
| 11/6/2013 | 12/30/2013 | 54 | Inquiry | RP inquired into why an EPD non patrol vehicle was flashing his lights and waving his arms like he wanted him to pull over. | Sgt. was able to determine that one of the CSO's had been behind RP and had accidentally hit his head lights when using his turn signal and then waved at RP trying to let him know it was a mistake and there was no problem. Sgt. spoke with RP about her findings. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|-------------------------------------|---|---|
| 11/6/2013 | 12/12/2013 | 36 | Performance | RP is upset that EPD will do nothing to look into his home being burglarized. He feels you have to be wealthy or you're not a priority. | Lt. reviewed police reports and learned officer had done a complete job of investigation but because of the new police data system the case had not been reassigned out for follow-up, which the Lt. expedited. Lt. spoke with RP about her findings. |
| 11/1/2013 | 1/14/2014 | 73 | Performance | RP, a case worker, felt an officer was unwilling to pursue a case against a juvenile who had stolen prescription medication from a family member. | Case Pending. |
| 9/3/2013 | 2/3/2014 | 150 | Performance | RP was upset at the service he received from an officer in regard to graffiti at his place of business. | Sgt. spoke with RP about the issue and with the officer concerning timeliness of investigations. |
| 11/6/2013 | 11/14/2013 | 8 | Inquiry Dismissed: Timeliness | RP a third party complainant noted that officers moved a suspect out of the range of ICV to conduct a DUII test. | Dismissed: Timeliness Auditor dismissed due to time limit protocols. |
| 11/12/2013 | 11/18/2013 | 6 | Inquiry Dismissed: Alternate Remedy | RP was upset at how unprofessional an officer was while questioning his son about a marijuana violation. | Dismissed: Alternate Remedy |
| 11/12/2013 | 12/2/2013 | 20 | Inquiry | RP noted that an officer did not give a motorist the new VCP brochure when citing them for a defective headlight and told her the citation did not apply to the program which allows you to fix the issue to have the citation dismissed. | Sgt. looked into the citation and found that officers may be confusing the ORS that applies to the citation, but that the judges and clerks are very knowledgeable of the program and are catching the issue and allowing motorists to complete the program. EPD will make officers aware of the issue. |
| 11/12/2013 | 12/2/2013 | 20 | Policy | RP alleged that the VCP program is not in current Policy and feels that this will lead officers to not be evenhanded in allowing motorists to fix vehicle violations to have their ticket dismissed. | Sgt. researched the new program and found that with judges and clerks have extensive knowledge of the program it provides a thorough layer of oversight to the program if someone is not initially informed that they may have their ticket dismissed by fixing the vehicle problem. |
| 11/18/2013 | 11/20/2013 | 2 | Courtesy | RP alleged that an officer used profanity toward his sister at a U of O football game. | Officer self reported the behavior to Cpt with the hope that if a complaint came in he could apologize. Cpt. spoke with officer about expectations of professional behavior and then contacted RP about his findings. |
| 11/18/2013 | 12/2/2013 | 14 | Inquiry | RP was upset that officers came to his home looking for someone who did not live there. | Sgt. reviewed incident and spoke with RP about the reason officers responded to his house. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|---------------------------------------|---|--|
| 11/18/2013 | 12/10/2013 | 22 | Inquiry | RP was upset that at a officer profiled him as a meth dealer during a DUII traffic stopped, questioned his passenger and cited him for sexual abuse of a minor and all the charges were dropped when he was released from jail and now he cannot get PCU to release his belongings. | Sgt. reviewed records of the stop and arrest, learned DA's office dismissed charges, Sgt. then instructed officer to release property and tried to contact RP about his findings. |
| 11/19/2013 | 12/17/2013 | 28 | Performance | RP emailed a complaint about an officer speeding and tailgating on 1-5 between Salem and Portland. | Sgt. identified officer involved and spoke with the officer about obeying all traffic laws and the perception on the public. |
| 11/18/2013 | 1/29/2014 | 71 | Inquiry | RP felt officers handled a call for service concerning a trespass from the library incorrectly. | Sgt. reviewed the records from the call and learned that library staff and officers miscommunicated and officers did not get the full details of the situation with the call. Sgt. spoke with RP about his findings. |
| 11/21/2013 | 12/17/2013 | 26 | Inquiry | RP was upset that on officer used an unprofessional tone with him and discriminated against him because he was male in a driving altercation with a woman. | Lt. found that RP had forced an confrontation with another driver he perceived to have driven erratically and that the officer had warned him not to contact the other driver again or risk being cited for stalking. Lt. spoke with RP about why the officer had spoken to him in the manner she did. |
| 11/19/2013 | 11/26/2013 | 7 | Inquiry Dismissed Alternate Remedy | RP was upset that an officer gave her a citation for impeding traffic and then submitted her to DMV for an eye test. | Dismissed: Alternate Remedy |
| 11/22/2013 | 1/13/2014 | 51 | Inquiry | RP was upset at the run around he was getting form EPD while trying to retrieve his belongings form PCU. | Lt. reviewed records of original incident and found no policy violation by officers. Lt. forwarded the PCU issue to the supervisor at that location and spoke with RP. |
| 11/25/2013 | 12/9/2013 | 14 | Inquiry | RP was upset that an officer pulled her over in the early morning hours just to see if she was the owner of the vehicle, she had not committed a traffic violation. | Sgt. Learned that the officer had run the plate of the car and learned that the owner had a suspended license. The driver matched the description of the owner and so pulled the driver over to verify driving status. No policy violation. RP did not return phone calls from the Sgt. |
| 11/26/2013 | 1/6/2014 | 40 | Performance | RP alleged that an officer was not handling an investigation in to her deceased mother's roommate filling a narcotic prescription. | Sgt. learned that the officer was pursuing the investigation but because of the time differences between his shifts and the pharmacist he had not yet been able to get the paper work. Sgt. spoke with RP about his findings. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|---|--|
| 11/26/2013 | 12/17/2013 | 21 | Courtesy | RP was upset that an officer was sarcastic with her while giving her a speeding citation. | Lt. reviewed the stopped with the officer and spoke to RP about her concerns. |
| 11/29/2013 | 1/13/2014 | 44 | Inquiry | Internal inquiry into a claim by an officer's family member that when an altercation happened between RP and another family member the officer did nothing. | Sgt. spoke with RP about her perception of the incident, the officers involved and conferred with the DA's office. No officer policy violations were found. |
| 12/2/2013 | 12/17/2013 | 15 | Use of Force | RP alleged that an officer hurt her arm while escorting her into the jail during an DUII arrest. | Sgt. learned after speaking with RP that her complaint was with jail personnel who searched and booked her. |
| 11/27/2013 | 1/7/2014 | 40 | Inquiry | RP was upset about incorrect information released to the media after she hit a curb and the officer being rude and calling her a liar. | Sgt. had been at scene of incident with officer and RP which was a hit and run with a delayed call in because of how the school district notified police of the issue. Sgt. found that officer handled the incident professionally and within policy. RP under advise of her lawyer did not want to discuss her complaint with the supervisor. |
| 12/2/2013 | 1/16/2014 | 44 | Performance | RP was upset that on officer who came to her home became sarcastic when she mentioned he looked young to be an officer. | Sgt. spoke with officer who related that he had made a joke of the interaction because he felt RP was joking with him. He had not intended to be rude or upset RP. Sgt. spoke with RP about his findings. |
| 12/2/2013 | 1/2/2014 | 30 | Inquiry | RP was upset with a call taker that kept saying she couldn't hear or understand him. | Supervisor reviewed the call and found that she too had a hard time understanding the call until the call taker asked RP to move the phone closer to his mouth. The call was then dispatched as the need indicated. Supervisor spoke with RP about his findings and her perceptions of the situation. |
| 12/2/2013 | 1/23/2014 | 51 | Inquiry | Auditor initialed complaint to review a vehicle pursuit based on a traffic violation. | Sgt. reviewed ICV and radio traffic of the traffic stop and officer's pursuit and found officer never exceeded the speed limit and terminated the pursuit at his superior's command. Issue will be reviewed the EVO supervisor. |
| 12/2/2013 | 1/14/2014 | 42 | Inquiry | RP reported to the Springfield Police that an EPD officer had used excessive force against her. | IA Sgt. looked into the allegation and found that an extremely intoxicated RP was transported to Buckley House and became so uncooperative she needed to be taken to the jail, ICV revealed no physical altercation between officer and RP. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--------------------------------|---|---|
| 12/4/2013 | 12/30/2013 | 26 | Inquiry | RP alleged that an officer got verbally aggressive with him and called him a little sh*t. | Sgt. spoke with witness officers and reviewed an online recording made by citizens at the scene and learned the officer had actually said he was becoming a little pain in the ass. Sgt. spoke with RP and officer about the incident. |
| 10/22/2013 | 1/6/2014 | 74 | Performance | RP was unhappy with the handling of a calls for service concerning homeless camping on the street near the property she manages. The residents are mostly older or handicap and are many times placed in confrontational situations. | Lt. learned that EPD's CSOs and the city's code compliance people had been working with RP since she had filed her complaint and was hopeful things would get better. |
| 12/9/2013 | 1/14/2014 | 35 | Inquiry | RP was upset that when she was pulled over for illegal tint on her car windows the officer would not accept the written letter from her doctor and printed out ORS stating she was allergic to the sun. RP also noted the officer called her doctor's office and tried to intimidate the doctor's office. | Sgt. spoke with RP about the interaction with the officer and called the doctor's office involved. Personnel there felt the officer had called to give information about the requirements of the doctor's letter for future reference, felt the officer was being helpful and educated them. Sgt. left RP a message about his findings and a contact number if she wanted to follow up. |
| 12/10/2013 | 12/17/2013 | 7 | inquiry Dismissed: Other | RP alleged he is being harassed by EPD officers by talking to people around town about him and arresting him for sleeping in the park. | Dismissed: Other Preliminary Body cam showed no policy violation by officers. |
| 12/10/2013 | 2/25/2014 | 75 | Policy | RP alleged that he was a victim of excessive force by police officers when they misidentified him as a suspect in the early morning hours. He was delivering newspapers at the time. | Lt. reviewed police reports and spoke with officers and the Sgt. that responded to the incident. Lt. learned that based on the originating call for service of a suspect with a gun officers did not violate policy when they required RP to get on the ground and handcuffed him. RP did not return calls to Lt. about the incident. |
| 12/11/2013 | 1/16/2014 | 35 | Policy | RP inquired into policy that allowed an officer to question her middle school aged daughter when she was home alone. | Sgt. spoke with RP and informed her that officers are allowed to interview juvenile witness and suspects without the parent present unless they request representation. Sgt. had also learned that a neighbor was present at the interview. |
| 12/12/2013 | 1/16/2014 | 34 | Inquiry | RP listed 4 different interactions with EPD that he was uncomfortable with. One in which he claimed an officer pulled a gun on him when he reached for his ID. The other 3 involving domestic fighting calls to his home in which he feels officers harassed him and he is scared officers might shoot him because of his mental health issues. | Sgt. researched the calls and was only able to find one of the incidents. He spoke with RP about best procedures for him to take for his safety if he is stopped by officers. |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|-------------------------------------|--|---|
| 12/16/2013 | 1/22/2014 | 36 | Inquiry | RP was upset that his handicapped son was assaulted and physically thrown out of a restaurant and when he called police they did not respond. An officer contacted him the next day and took a verbal report from him and his assailants. Now he can not get the officer to press charges. | Sgt. learned that after the officer completed his investigation which found that RP had been the aggressor in the incident it was closed as advised. Sgt. spoke with RP who did not want to speak with him without a lawyer. |
| 12/16/2013 | 1/16/2014 | 30 | Policy | RP was upset that officers made her leave the place she was staying when she could not prove she was a tenant on the lease. | Sgt. learned from officers that RP had been at the residence on a temporary basis and had become intoxicated and hostile to the other tenants who requested she be removed from the property. Sgt. spoke with RP about his findings. |
| 12/16/2013 | 1/18/2014 | 32 | Inquiry Dismissed: Alternate Remedy | RP feels that an officer let his emotions about derogatory remarks he made cloud his investigation and cite him over the evidence. | Sgt reviewed ICV, spoke with officers and RP about the issue. Auditor dismissed Alternate Remedy |
| 12/16/2013 | 2/7/2014 | 51 | Inquiry | RP was upset with officers that entered his home and the force that was used on him. | Lt. reviewed call details and police reports and ICV noting that officers responded to a report of a blood trail. RP refused to open the door for police and noted the minimum amount of force was used to control the situation. |
| 12/16/2013 | 1/24/2014 | 38 | Inquiry | RP alleged that an officer would not help him when he was menaced at "Whoville". | Lt. reviewed records and RP's statement and learned that the vehicle described did not match EPD's vehicles and no record of an officer being on scene was found. RP did not return calls. |
| 12/17/2013 | 1/28/2014 | 41 | Performance | RP was concerned that officers contacted her elderly father-in-law to report they had stopped his wife who was driving in the downtown area and seemed disoriented to have someone pick her up. The officers then left before a family member arrived. | Sgt. reviewed records and spoke with officer about the incident and learned that officer were dispatched to a suspect with a firearm call and did not believe that the woman was a candidate for a mental hold and spoke with her before they left the scene. Sgt spoke with RP about his findings. |
| 12/18/2013 | 1/16/2014 | 28 | Service Level | RP was concerned about cars parking illegally on a busy road. | Sgt. reviewed the complaint and spoke with RP and explained options like also calling parking services. Parking was also notified of the issue. |
| 12/18/2013 | 1/2/2014 | 14 | Inquiry | RP inquired about a police report she feels is a misrepresentation of a conversation she had with an officer. | Sgt. met with RP and reviewed the police report and answered her questions. |

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| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|--|---|--|
| 12/18/2013 | 1/9/2014 | 21 | Performance | RP inquired into a call for service about a reckless driver and why he was transferred to OSP, but never saw a police response. | Communications supervisor reviewed the call to the 911 center. She learned because of the area the driver was in the call needed to be transferred to the correct jurisdiction, but realizing that the driver was heading toward EPD's jurisdiction the call taker entered a call for EPD also. Supervisor contacted RP about what had transpired. |
| 12/19/2013 | 2/10/2014 | 51 | Inquiry | RP alleged she witnessed an officer smoking in his patrol car and then flicking the cigarette butt out the window. | Sgt. researched the identity of the officer assigned the car on the day in question and spoke with the officer who was shocked at the allegation as he is a non-smoker. Sgt. also looked into whether a volunteer or a maintenance worker may have used the car on that day and found nothing. RP's numbers were disconnected so no contact with RP was available. |
| 12/23/2013 | 1/14/2014 | 21 | Inquiry | RP felt her arrest was because she was a person of color. | Sgt. reviewed the police report that clearly established the probable cause for RP's arrest. The ICV was also reviewed. Sgt. spoke with RP about his findings. |
| 12/23/2013 | 2/7/2014 | 44 | Inquiry | RP was concerned about an interaction she had with officers when she requested help with the exchange of her minor child with her ex. | Lt. spoke with RP about the issue and explained assault thresholds vs. parental control statutes, Lt. also followed up with DHS to verify no further investigation was needed. |
| 12/23/2013 | 2/5/2014 | 42 | Inquiry | RP was upset that officers came to her home and detained her, questioning her about her whereabouts that day, she also alleged officers placed the cuffs on too tight leaving her wrists and hands swollen. | Sgt. reviewed reports and ICV of the incident and spoke with RP. ICV revealed that officer did adjust RP'S handcuffs and clearly articulated the reason why RP was being questioned. |
| 12/26/2013 | 1/2/2014 | 6 | Inquiry Dismiss: Outside Jurisdiction | RP was upset with how a DUII arrest was handled on I-5. | Dismissed: Outside Jurisdiction |
| 12/23/2013 | 12/31/2013 | 8 | Performance Dismissed: Prior review | RP call ECU about information about an altercation she had with her son and his family. | Dismissed: Prior review |

| Received Date | Closed Date | Time Open (days) | Classification | Summary | Outcome |
|---------------|-------------|------------------|----------------|--|---|
| 12/31/2013 | 1/22/2014 | 22 | Inquiry | RP called with a concern about officer's using force before his arrest, RP has ADHD and doesn't believe officers can use force on a disabled person. | Sgt. reviewed police reports and learned that officer had responded to a call for domestic violence and physical and verbal dispute. RP resisted officers commands and physically resisted. The officers felt compelled to gain quick control of a situation because there was broken glass throughout the house. Sgt. explained to RP that an officer's use of force is based on the circumstances presented to them at the time and that there is no rule to require officer's not use force against someone with a disability. |

2013 Annual Report

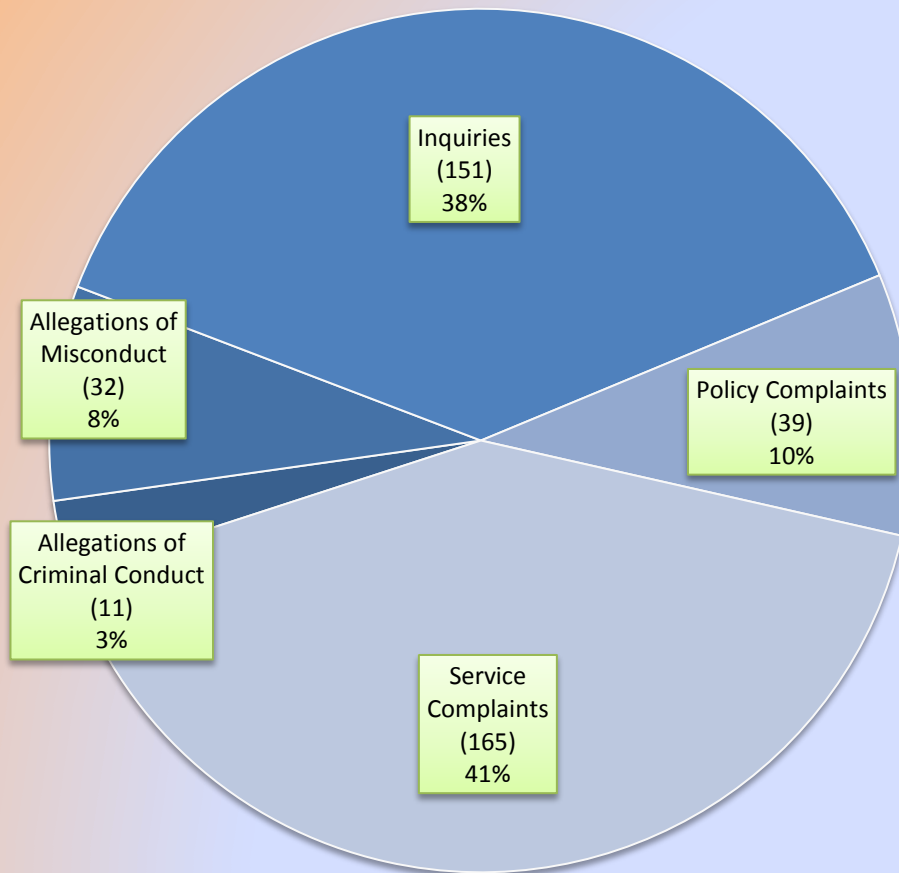
Office of the Police Auditor

Eugene City Council
July 16, 2014

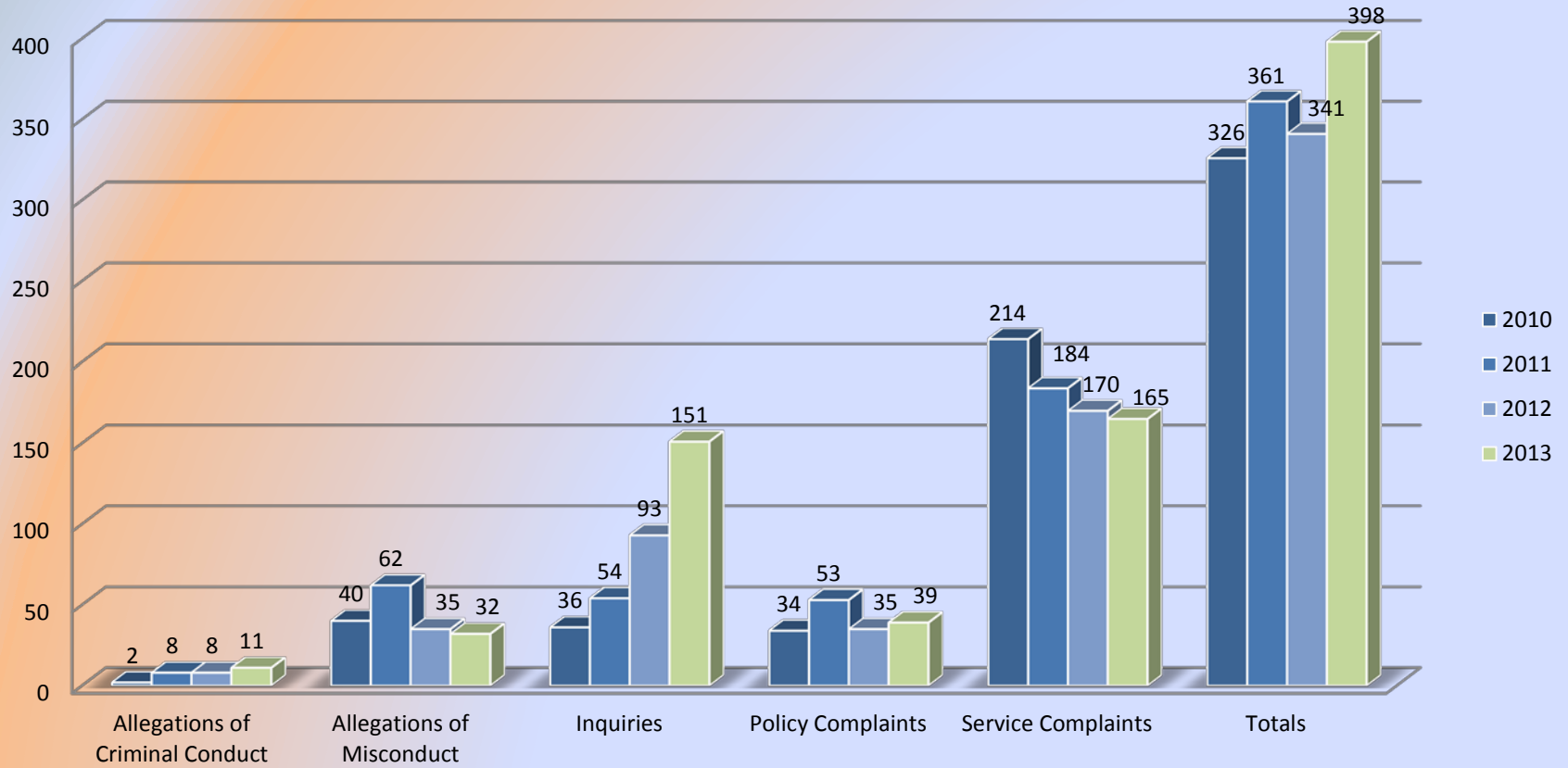


2013 Complaints

- The Auditor's Office received **398** total complaints in 2013: an increase of 17% from 2012 (when we received 341 complaints), and an all-time high for our office.

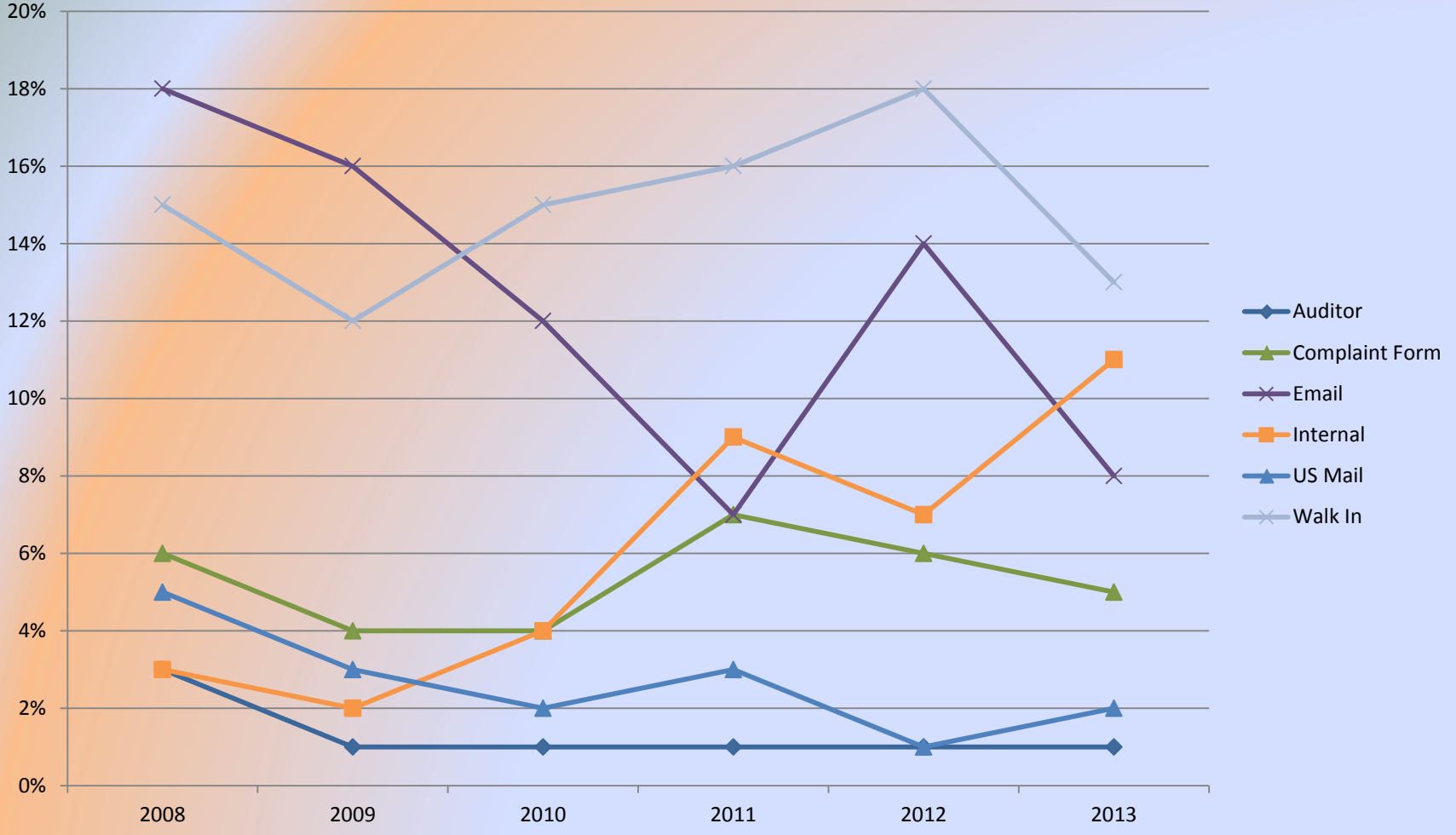


Total Complaints and Classifications, 2010 - 2013



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Selected Complaint Sources, 2008 - 2013

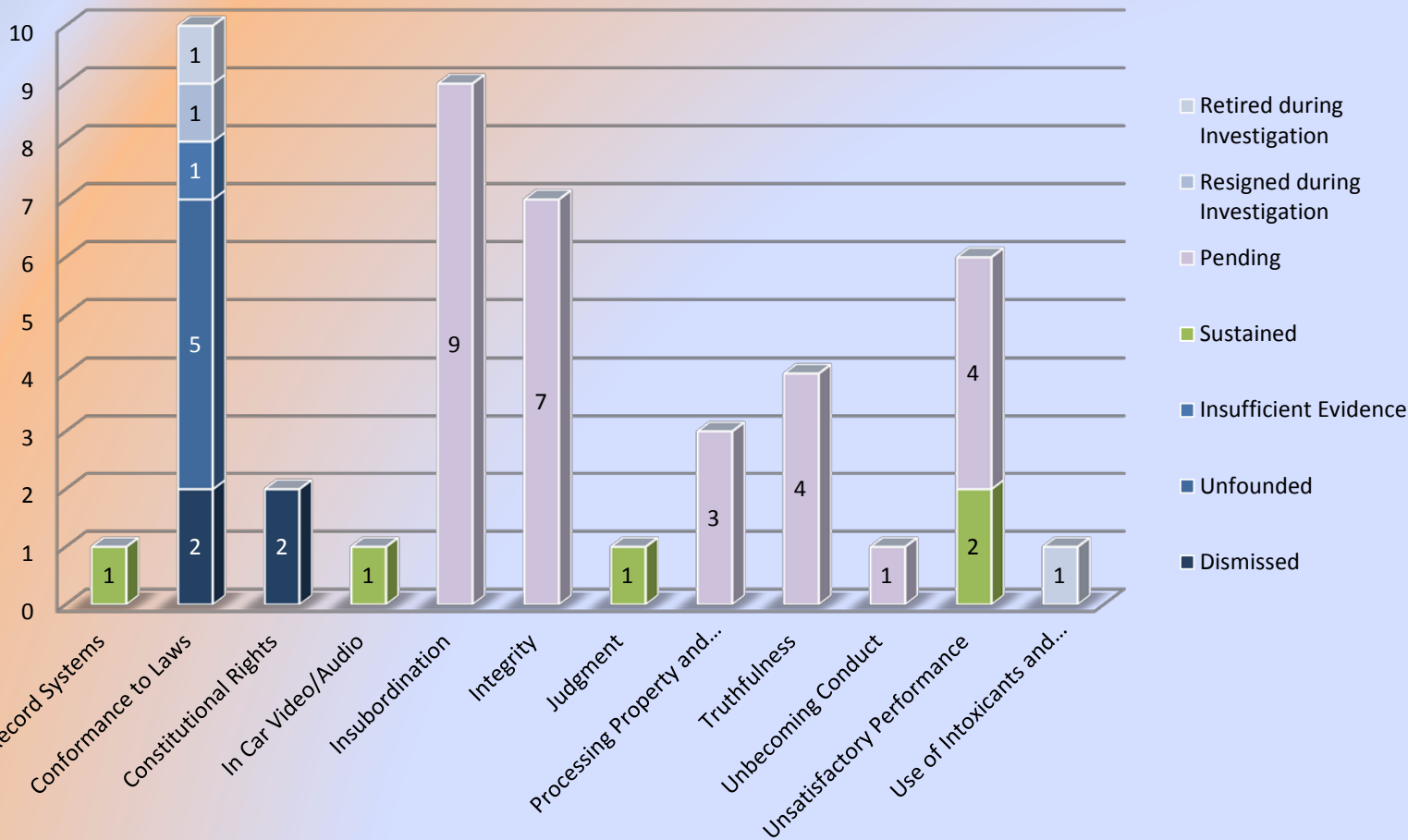


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2013 Complaints by Number of Employees

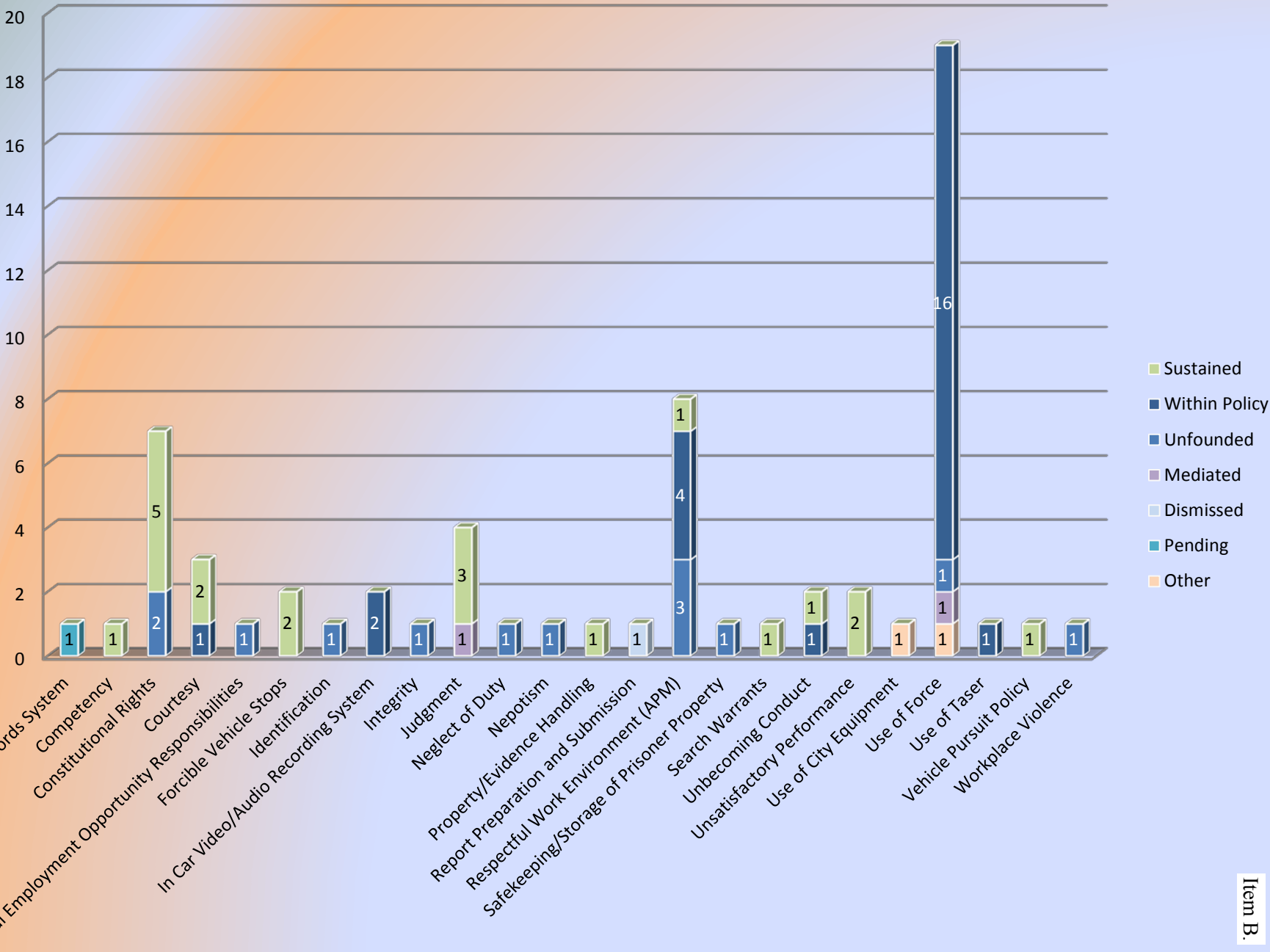
| | Number of Employees | Number of Complaints Received | Percent of All EPD Employees |
|-------------------------------------|---------------------|-------------------------------|------------------------------|
| Employees with Complaints | 170 | 398 | 56.2% |
| | 70 | 1 | 23.1% |
| | 34 | 2 | 11.2% |
| | 29 | 3 | 9.6% |
| | 17 | 4 | 5.6% |
| | 12 | 5 | 4.0% |
| | 6 | 6 | 2.0% |
| | 0 | 7 | 0.0% |
| | 1 | 8 | 0.0% |
| | 2 | 9 | 0.1% |
| | 2 | 10 | 0.1% |
| | 0 | 11 | 0.0% |
| | 1 | 12 | 0.0% |
| Employees with No Complaints | 132.75 | 0 | 43.8% |
| Total | 302.75 | 398 | 100% |

2013 Specific Criminal Misconduct Allegations and Disposition



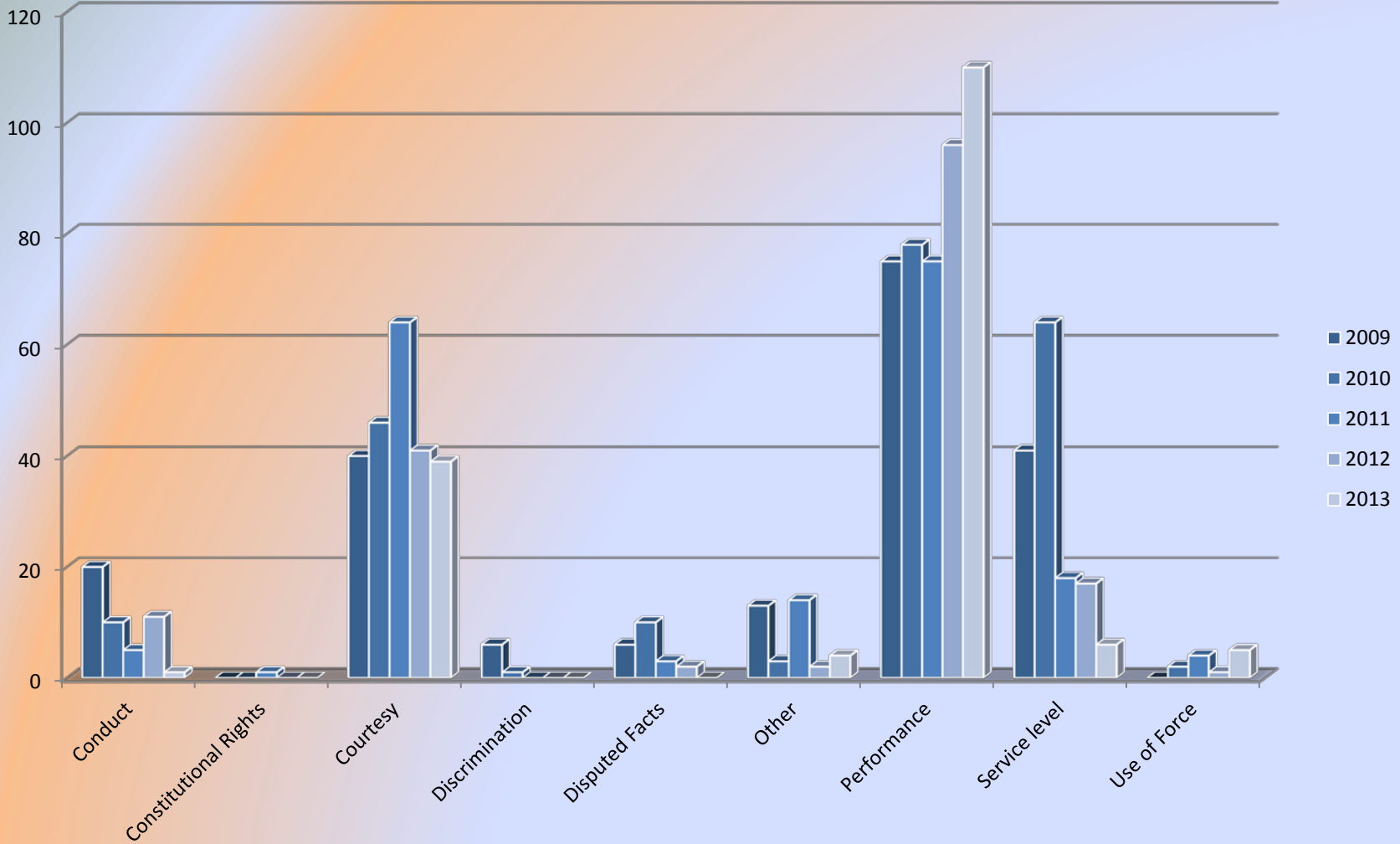
2013 Specific Misconduct Allegations and Disposition

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Item B.

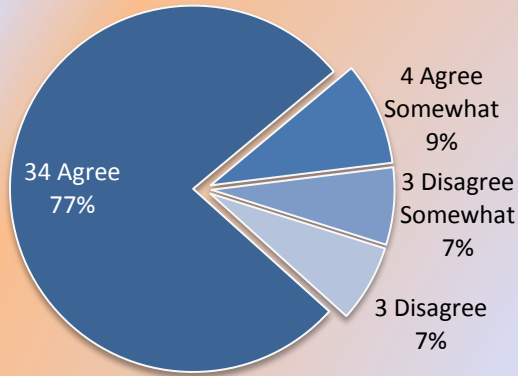
Service Complaints by Sub-Classification, 2009 - 2013



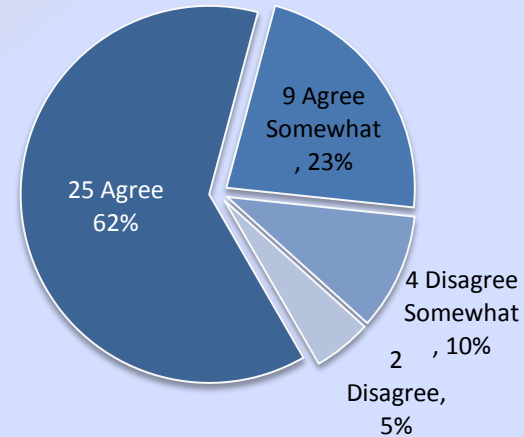
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Service Complaint Survey Results

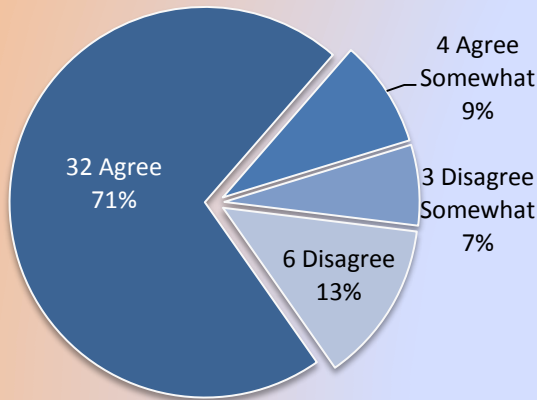
Question 1: Helpfulness of the Auditor's Office



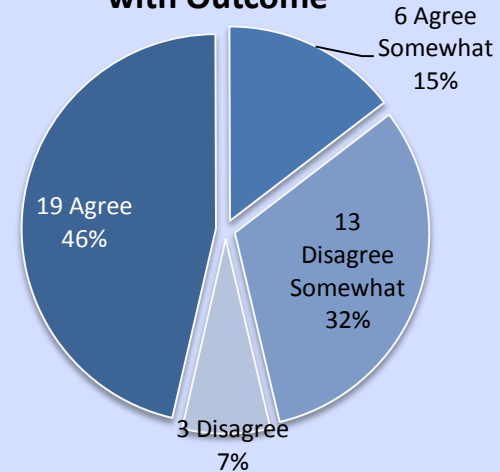
Question 3: Supervisor Addressed Concerns



Question 4: Supervisor Listened to Concerns



Question 5: Overall Satisfaction with Outcome



Case Summary

Civilian Review Board
April 8, 2014



Summary of Facts

- On July 18, 2013, Reporting Party was stopped for suspicion of driving under the influence. Officer A responded to the stop to assist.
- Officer A administered field sobriety tests. Reporting Party had trouble following directions and appeared to be distracted by her cell phone ringing.
- Following the tests, Officer A took Reporting Party into custody for DUII. Officer A took the Reporting Party to the jail's intoxilyzer room.
- Reporting Party was cooperative but argumentative during the stop.
- When they arrived at the jail, the ICV captured audio of Officer A saying "Stop trying to kick me". Reporting Party said, "Beat me up some more [expletive]."
- Reporting Party complained to the Auditor's Office that Officer A used excessive force against her in the booking room at the jail.



Summary of Facts

- Reporting Party stated that she stood up from a bench and was asking questions about the DUII tests and Officer A told her to sit down; she stated that she did not sit down right away and the officer shoved his arm and knee into her and hit her head on the wall.
- There is no video of this area of the jail.
- Officer A stated in his report that the Reporting Party stood up when he was filling out paperwork and began walking toward the exit of the jail. He ordered her to sit and she refused and tried to continue to the door. He stated in his report that he grabbed her right arm and pushed her into a seated position; he stated that she then kicked him in the shin and tried to continue kicking him.
- Officer A stated that he delivered a knee strike and held the Reporting Party against the wall. He then radioed for assistance from jail staff. He stated that he continued to hold her against the wall and tell her to stop resisting until deputies responded and took her into the jail.



Summary of Facts

- Reporting Party denied trying to hit or kick Officer A.
- No other officers or witnesses were in the area.
- Photos taken at the jail showed the following injuries:
 - Reporting Party had a red area on the back of her head.
 - Officer A had an abrasion on one elbow, a scratch on his forearm, and an abrasion on his left shin.
- Photos taken at intake showed bruises on Reporting Party's shoulder, knee, and lower back.
- Reporting Party filed a complaint with our office a few days after the arrest.



Allegations

1. **Use of Force** – that Officer A used excessive force when processing the Reporting Party at the jail.



Recommended Adjudication

1. Use of Force

- Supervising Sergeant: Within Policy
- Supervising Lieutenant (AIC): Within Policy
- Supervising Captain (AIC): Within Policy
- Police Auditor: Within Policy
- **Chief of Police: Within Policy**



Issues for CRB Discussion

- Complaint Intake and Classification
 - Walk-in complaint at Auditor's Office
 - Classification: Allegation of Misconduct
- Complaint Investigation and Monitoring
- Relevant Department Policies and Practices
 - 901.1 Use of Force
- Policy and/or Training Considerations
- Adjudication Recommendations
- Additional Comments/Concerns
 - Reporting Party requested CRB review

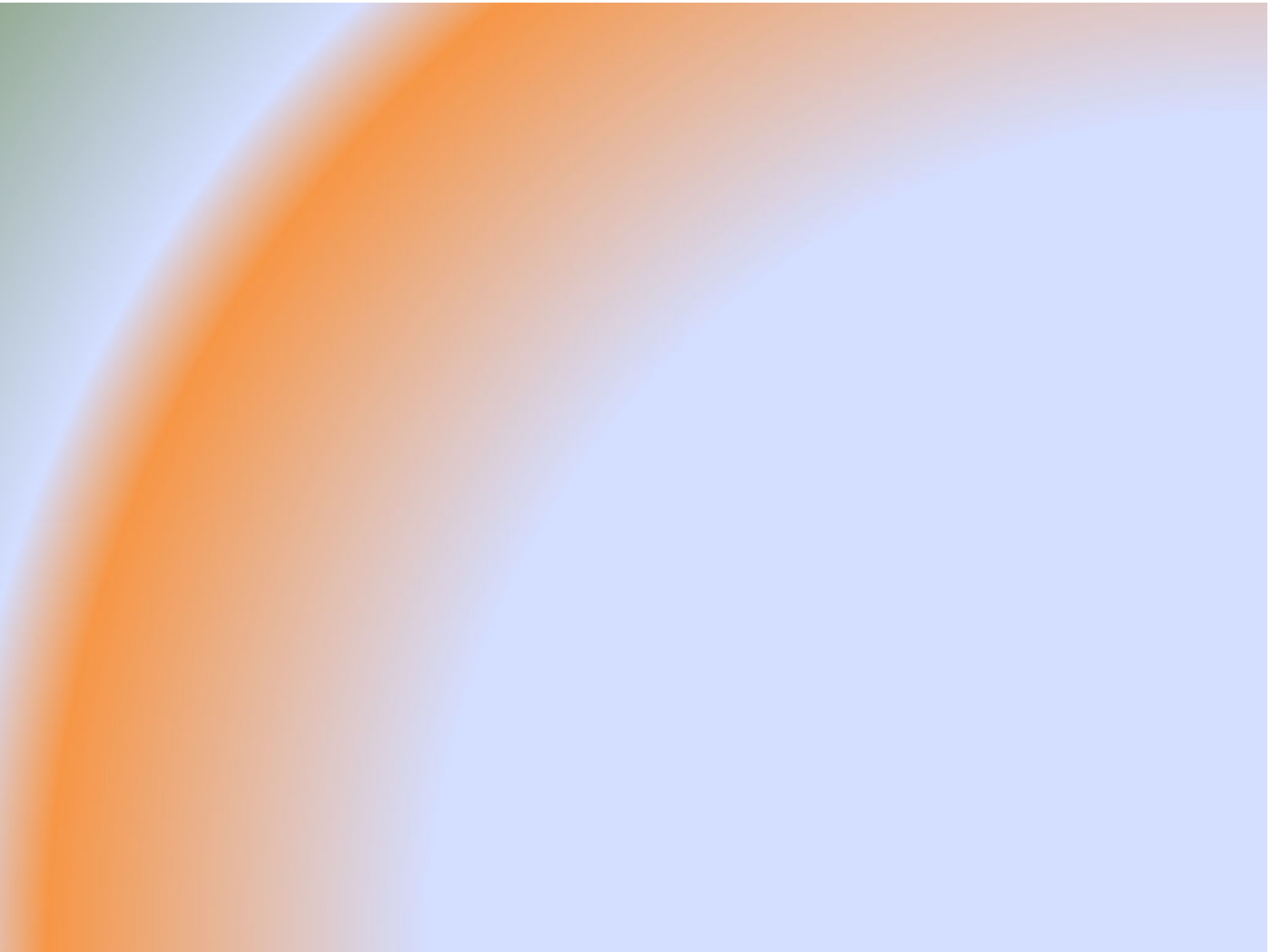


2013 Annual Report

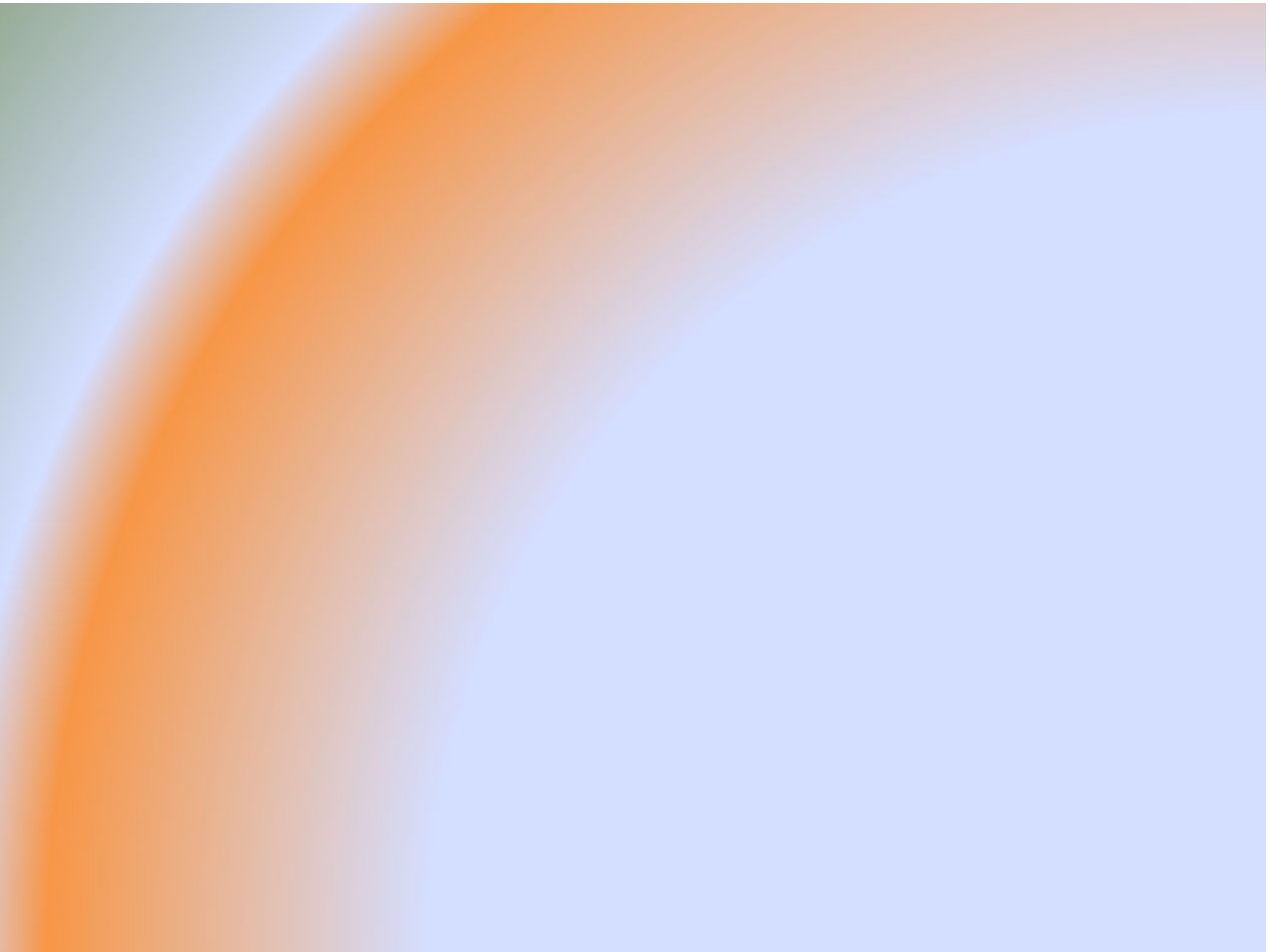
Office of the Police Auditor

Eugene City Council
July 16, 2014



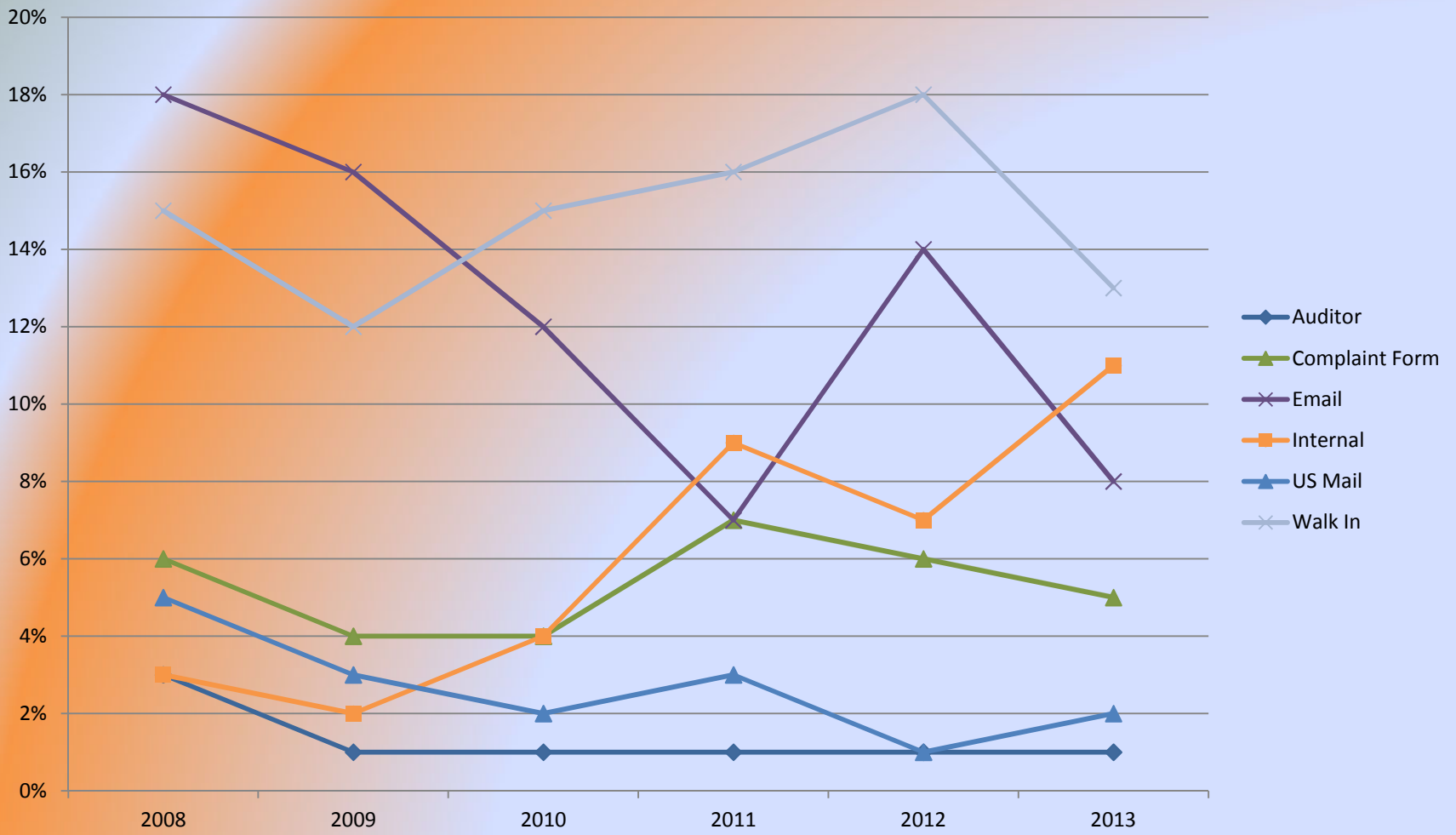


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Selected Complaint Sources, 2008 - 2013

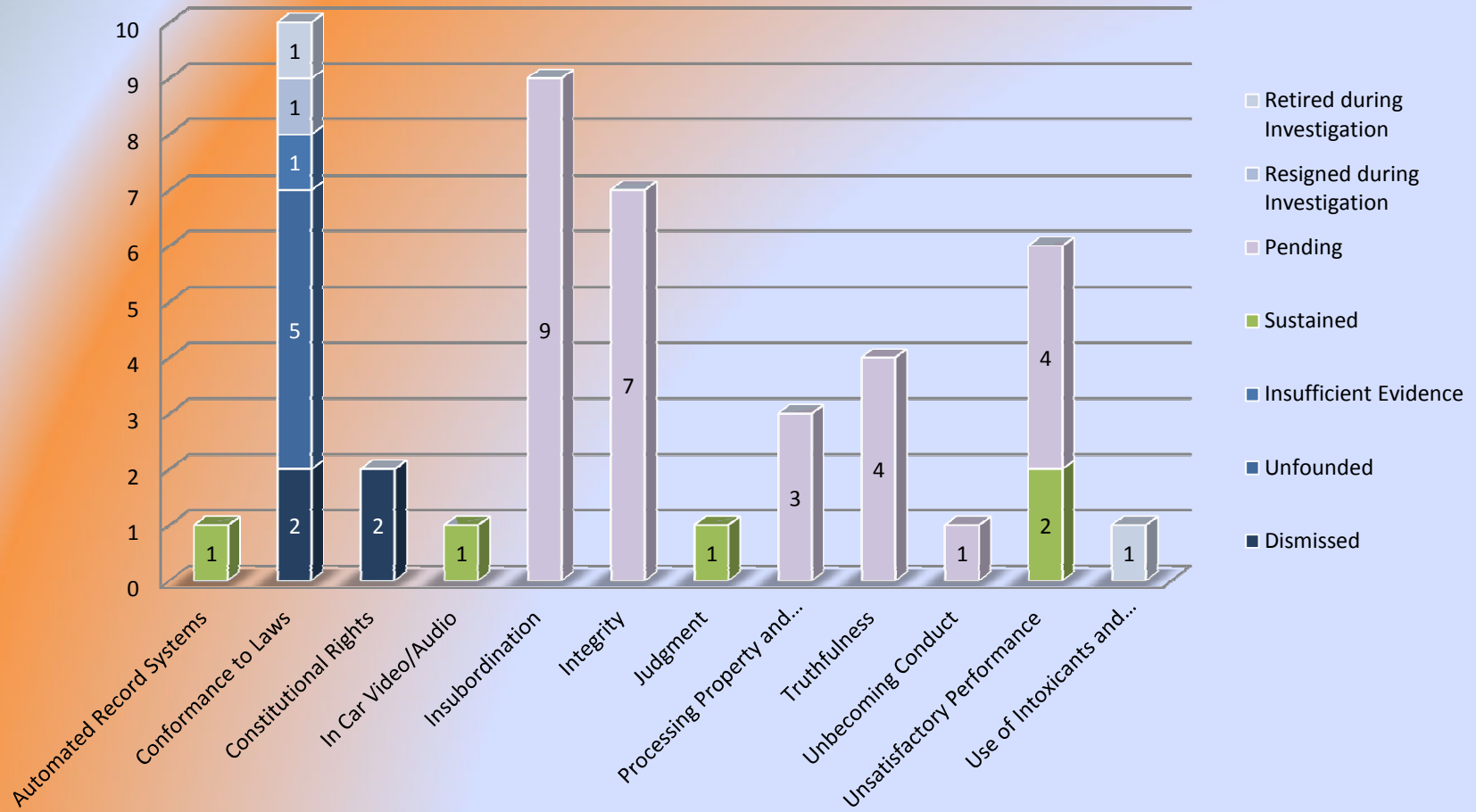


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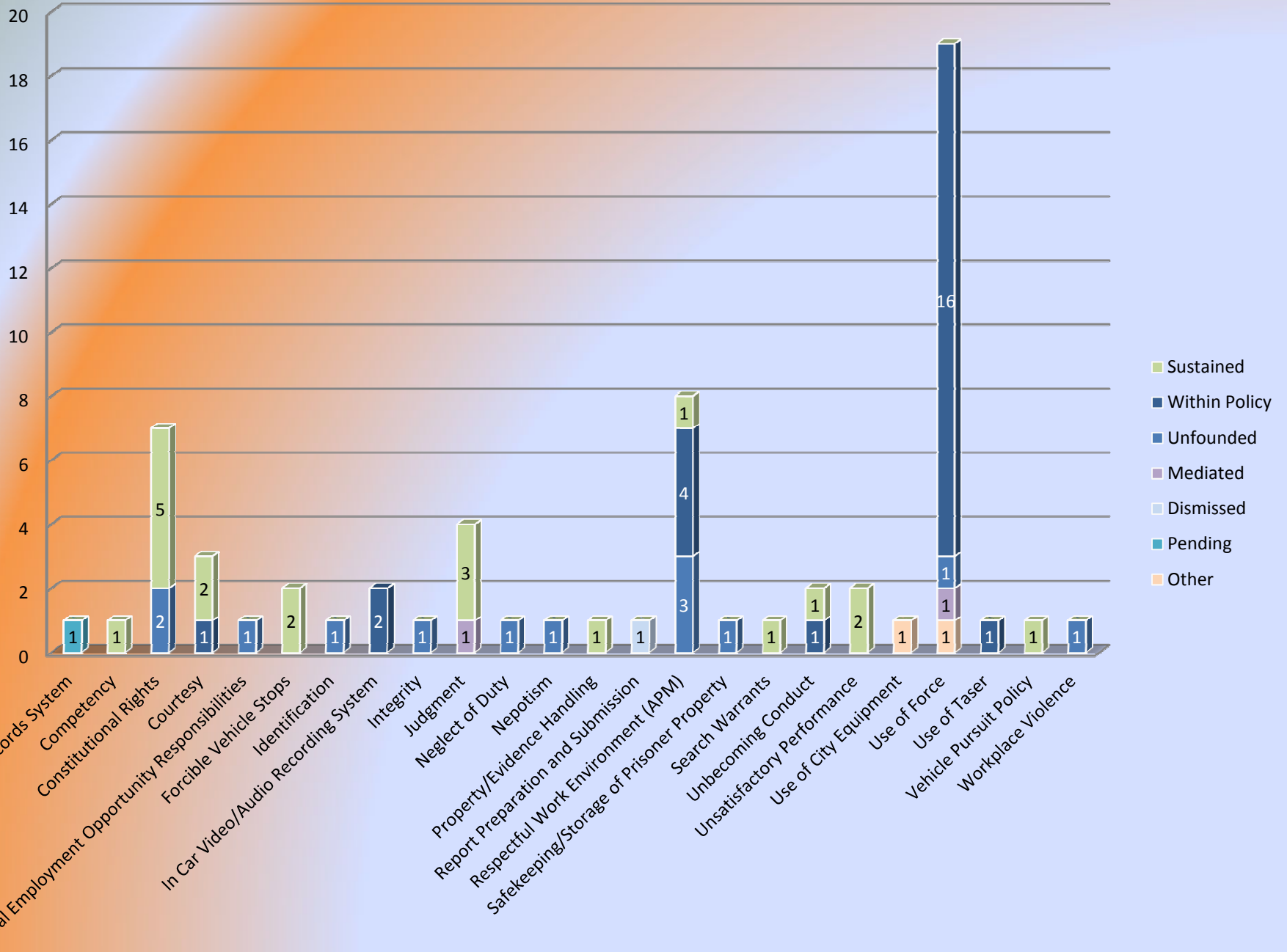
2013 Complaints by Number of Employees

| | Number of Employees | Number of Complaints Received | Percent of All EPD Employees |
|-------------------------------------|---------------------|-------------------------------|------------------------------|
| Employees with Complaints | 170 | 398 | 56.2% |
| | 70 | 1 | 23.1% |
| | 34 | 2 | 11.2% |
| | 29 | 3 | 9.6% |
| | 17 | 4 | 5.6% |
| | 12 | 5 | 4.0% |
| | 6 | 6 | 2.0% |
| | 0 | 7 | 0.0% |
| | 1 | 8 | 0.0% |
| | 2 | 9 | 0.1% |
| | 2 | 10 | 0.1% |
| | 0 | 11 | 0.0% |
| | 1 | 12 | 0.0% |
| Employees with No Complaints | 132.75 | 0 | 43.8% |
| Total | 302.75 | 398 | 100% |

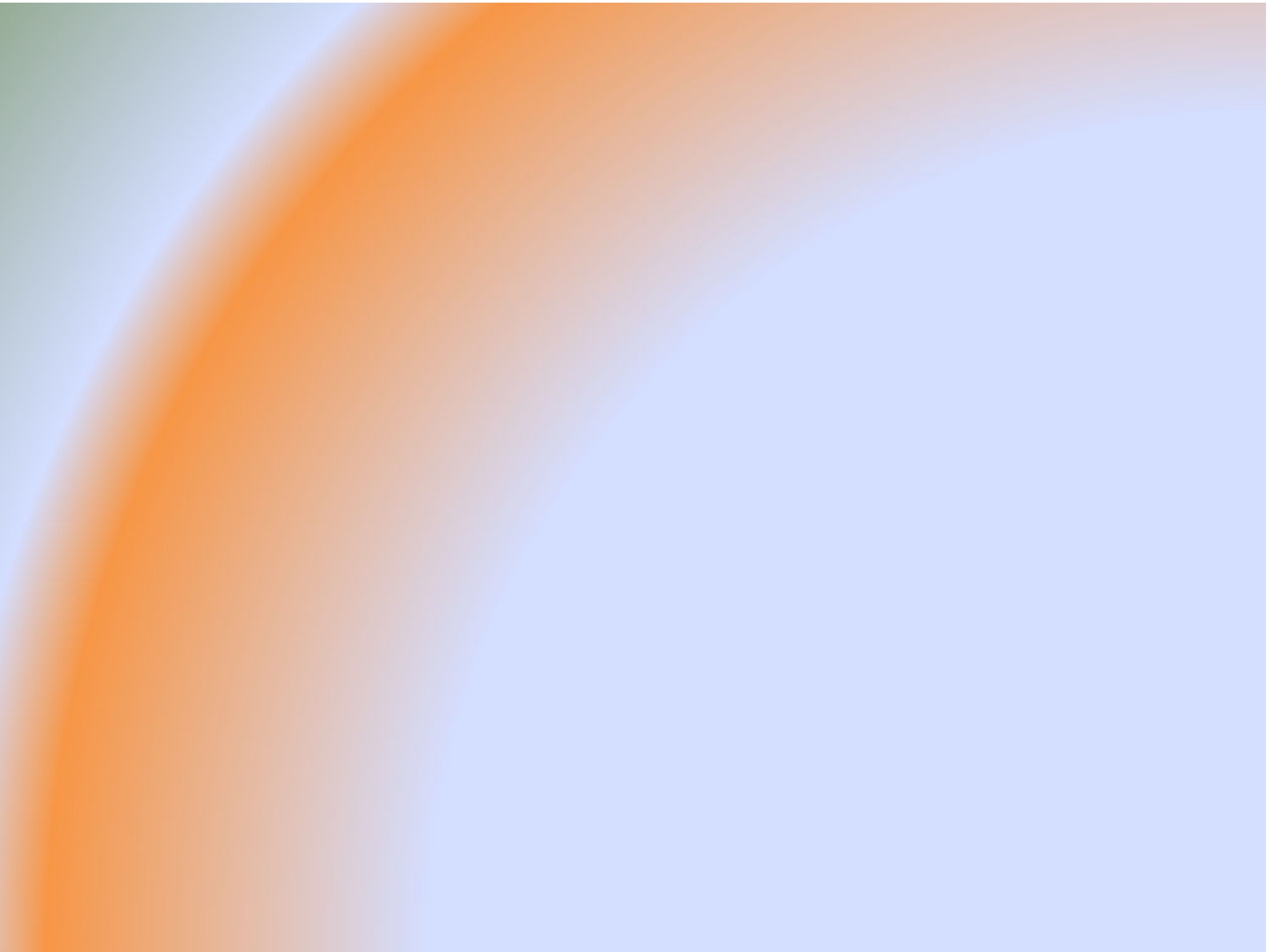
2013 Specific Criminal Misconduct Allegations and Disposition



2013 Specific Misconduct Allegations and Disposition

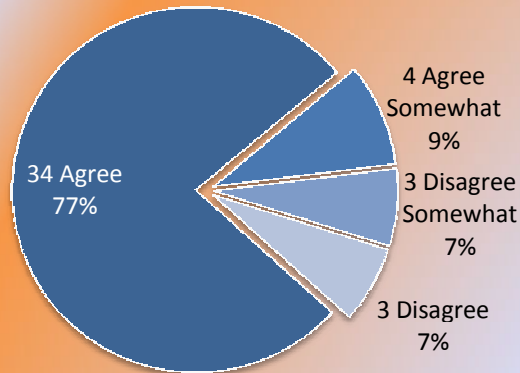


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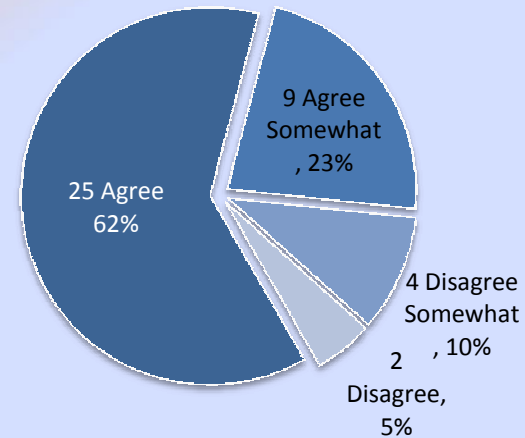


Service Complaint Survey Results

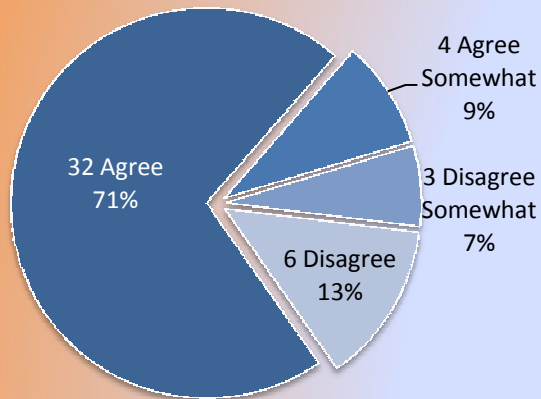
Question 1: Helpfulness of the Auditor's Office



Question 3: Supervisor Addressed Concerns



Question 4: Supervisor Listened to Concerns



Question 5: Overall Satisfaction with Outcome

