



City of Eugene

POLICE COMMISSION

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

Police Commissioners: Bob Walker, Chair; Tamara Miller, Vice-Chair; Mike Clark; Edward Goehring; Jim Garner; Jesse Lohrke; James Manning; George Rode; Claire Syrett; Joe Tyndall; Bill Whalen

Police Commission Meeting
January 8, 2015
5:30 – 8:30

Item	Starting – Ending	Minutes
Review Agenda	5:30 – 5:35	5 min
Public Comments	5:35 – 5:50	15 min
Commissioner Comments / Responses	5:50 – 6:05	15 min
Review Minutes	6:05 – 6:10	5 min
CCTV Proposal	6:10 – 6:50	40 min
BREAK	6:50 – 7:00	10 min
Chief's Presentation	7:00 – 7:15	15 min
Court Overtime Breakdown	7:15 – 7:25	10 min
Vehicle Impound Policy Review	7:25 – 8:00	35 min
Commissioner Closing Comments	8:00 – 8:15	15 min

UPCOMING Police Commission Meetings:

February 12, 2015

NOTE – Retreat set for Saturday, May 2 – Location TBD

City of Eugene Police Commission

December 11, 2014

DRAFT Meeting Minutes DRAFT

*Please note the official full record is contained in the video recording at
<http://eugene-or.gov/index.aspx?NID=1344>*

The meeting convened at 5:30.

Members in attendance: Bob Walker, chair; Tamara Miller, vice chair; Jim Garner; Jesse Lohrke; James Manning; George Rode; Joe Tyndall; Bill Whalen;

Members absent: Mike Clark; Edward Goehring; Claire Syrett

Staff in attendance: Chief Pete Kerns, Cpt. Karl Durr, Tim Schuck, Lt. Sean McGann, Becky DeWitt, Elizabeth Weber, Sgt. Matt Lowen, Jeremy Cleversey

Agenda Review

Mr. Cleversey reviewed the agenda.

Public Comments

Majeska Seese Green offered comments on the police budget. She also expressed concern that officers may be taking advantage of overtime in the municipal court.

Juan Carlos Valle represented the League of United Latin American Citizens (LULAC). Read a statement requesting the Police Commission support of his and LULAC's mentioned concerns.

Riley Webber said there is a problem with public authority. Believed that there should be a transparency of the standard of police work and recommends mandatory bodycameras in the field to promote accountability.

Carol Berg Caldwell submitted folders containing 3 complaints that she submitted to the police auditor and shared concerns before CRB. Recommends a policy be put in place to protect citizens and police regarding recording police with cameras.

Commissioner Comments

Mr. Manning shared a few of the proposals that the State Advocacy Commission is advocating to Governor Kitzhaber.

Mr. Tyndall responds to public comment advising citizen to get involved with government if they want to change things, and suggests that the 3 minutes spent making a public comment before the police commission will have more impact than a public demonstration. He was glad the commission was looking at the budget this meeting.

Mr. Garner says that Mr. Tyndall comments were written on target and supports a lot of what Mr. Manning is proposing to the Governor. Asks Chief to comment tonight on Ferguson Deaths and impact on EPD.

Mr. Lohrke thanks the public for the good turnout. Suggested policies the Police Commission could review. Reports a study that he read on police cameras and the objective benefit they provide.

Mr. Walker reminds the citizens that by charter the Police Commission can not respond to individual EPD complaints and suggests three proper avenues: Civilian Review Board, Auditor, Internal Affairs.

Ms. Miller commented on the loss of life in both Ferguson Missouri and New York being very unfortunate and suggested the dialogue created from it is good. Commended the chief for being out front with body cammeras. Stated that the chokehold policy was reviewed by the commission a couple of years ago. Commented that police departments receiving retired military vehicles is ironic in the light of the discussion of demilitarizing police departments.

Chief Kerns responded to public comment that police overtime in municipal court has decreased. Responded to public concerns about possible police officer retaliation for video recording them. Spoke about policing communities of color and protected classes. Discussed EPD's body warn cameras and other methods used for accountability. Responds to public Ferguson Question.

Mr. Rode thanked the public for their input, and Ms. Caldwell for her time spent with the Civilian Review Board. Commented on the Ferguson situation. Mr. Rode noted that he is thankful to EPD for in car video and body cameras, having video recordings is useful for the Civilian Review Board.

Mr. Whalen thanks the public for their attendance and especially the speakers. Comments that in light of the instances occurring across the country, he believes EPD is ahead across the country on discussion of putting up more cammeras, body cammeras and with having the Civilian Review Board and Police Commission.

Mr. Rode clarified that Mr. Walker's requested that the Civilian Review Board would like to know if there is a written policy for hair pulling and chokeholds.

Approval of Minutes

MOTION AND ACTION: Mr. Tyndall moved and Mr. Rode seconded approval of the minutes as submitted. The motion passed unanimously.

Introduction New Captain and Staff

Chief Kerns – Introduced Captain Sherri Meisel

Capt. Meisel – Responded to Commissioner Questions

Chief Kerns – Introduced AIC Police Commission Analyst Jeremy Cleversey

EPD Recruitment

Chief Kerns introduced Human Resources Manager Becky Dewitt

Chief Kerns introduced Lt. Sean McGann

Becky Dewitt presented Police Officer recruitment process and responded to questions.

Lt. McGann introduced Division Manager of Operations Mr. Tim Schuck.

Lt. McGann explained that he wanted to help shape the department. Learned that the word recruit has a Latin origin, meaning to grow again. He advocated that we need to make sure that we develop a department to fit the community it services, examples: women in blue, etc. Presented recent and future recruitment initiatives and responded to questions.

Mr. Tyndel asked how many female officers are there at EPD.

Lt. McGann said they are interdispersed across the department.

Mr. Tyndell questions what is the level of acceptance to women in these roles.

Lt. McGann responded that acceptance is very good.

Mr. Manning shared that he witnessed the chief handing out a recruitment card to a latino gentlemen.
Commissioners viewed Glenn Gilhuber Police Officer video
Mr. Rode inquired to the pay range of a new officer
Ms. Dewitt answered between \$45,000 and \$65,000
Ms. Dewitt responds to commission questions regarding police officer requirements.
Mr. Manning appreciated the well done video that shows the human side of police.
Mr. Garner asks if there are any alterations for the minum requirement for age based on the applicants sex.
Ms. DeWitt resonded “No”.
Mr. Tyndel – Asks about expunsioments and if they count against you?
Ms. DeWitt explains that the department does not consider the expunsioment as a conviction but they do perform a full background of the applicants life.

BREAK

Eugene Police Budget

Chief Kerns introduced EPD Finance Manager Elizabeth Weber
Ms. Weber presented the EPD budget and responded to questions.
Mr. Garner asked if the the budget includes the 911 center.
Mr. Lohrke asked what is happening with health insurance and PERS.
Mr. Walker requests an overtime budget report for the Police Commission to review.
Mr. Tyndel asked if the officers on the street overall cost is between \$250k and \$270k

Revised Police Commission Vacancy Interview Questions

Ms. Miller provided an update

MOTION AND ACTION: Mr. Tyndal moved and Mr. Rode seconded to change scoring scale from 1 - 7 to 1 - 10 on Vacancy Interview Questions. The motion passed unanimously.

MOTION AND ACTION: Mr. Rode moved and Mr. Lohrke seconded to amend the questions as printed with typos included. The motion passed unanimously.

Chief's Presentation

Chief Kerns reviewed his report and responded to questions.

Commission Comments

The Commissioners offered comments about the meeting and topics discussed.
The meeting adjourned at 8:15.

Notes taken by Jeremy Cleversey

Chief's Report to the Police Commission



December 2014

Chief's Activities

- In-Service Training and Handgun Transition Training.
- National Alliance on Mental Illness Dinner and Silent Auction at Lane Community College.
- UO Campus-Wide Conversation with focus on black men and police violence in America.
- New Year's Eve Patrol

In the News



★ **Armed Robberies at Local Restaurants**

★ **Dispute/SWAT and CNT Call Out**

★ **Holiday Crime Prevention Tips**

★ **ALICE Instructor Training**

★ **1033 Program and Eugene Police Department**

★ **Ferry Street Bridge Enforcement**

★ **Fireworks—New Years**

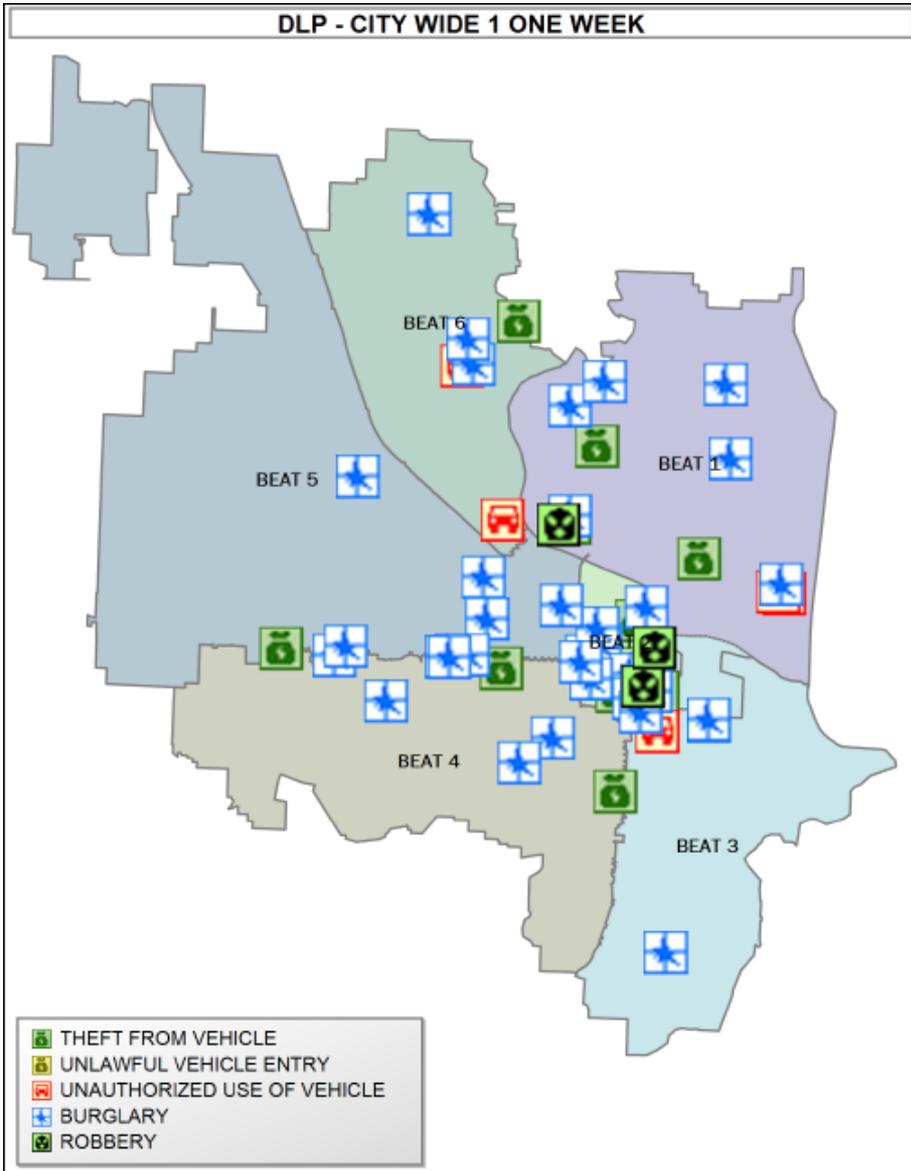


Looking Ahead

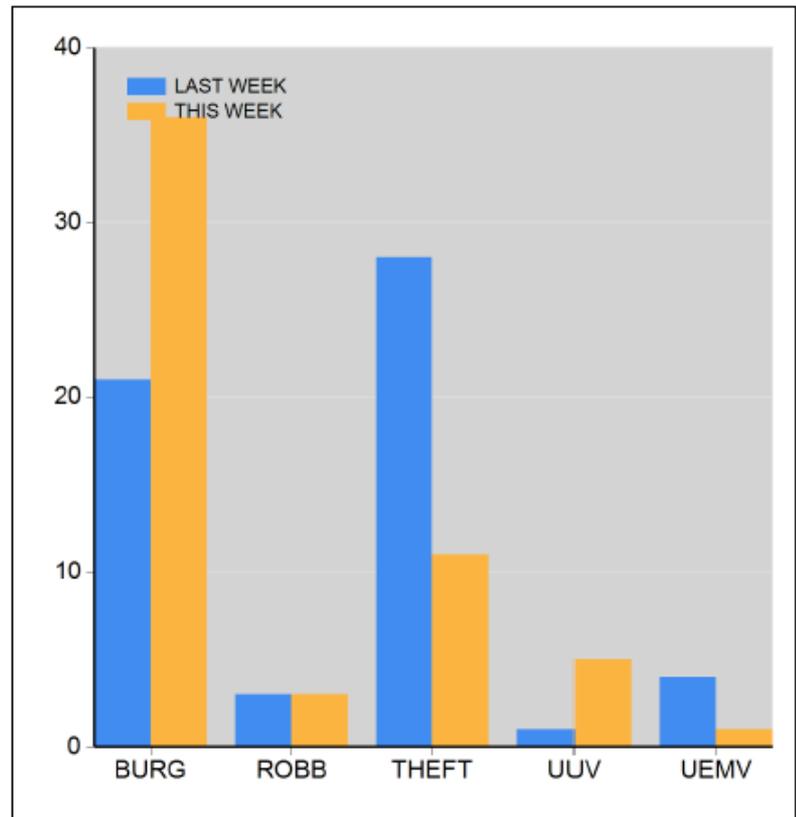
- **Assistant Chief Karl Durr began his assignment January 1, 2015.**
- **Eight candidates for Communications Specialist Accepted Job Offers.**
- **65 Police Officer applicants are moving to interviews.**
- **Animal Services Unit Manager Position Posted.**
- **One candidate for ECU/FEU Senior Administrative Specialist moved to background phase.**

DLP—One Week City-Wide

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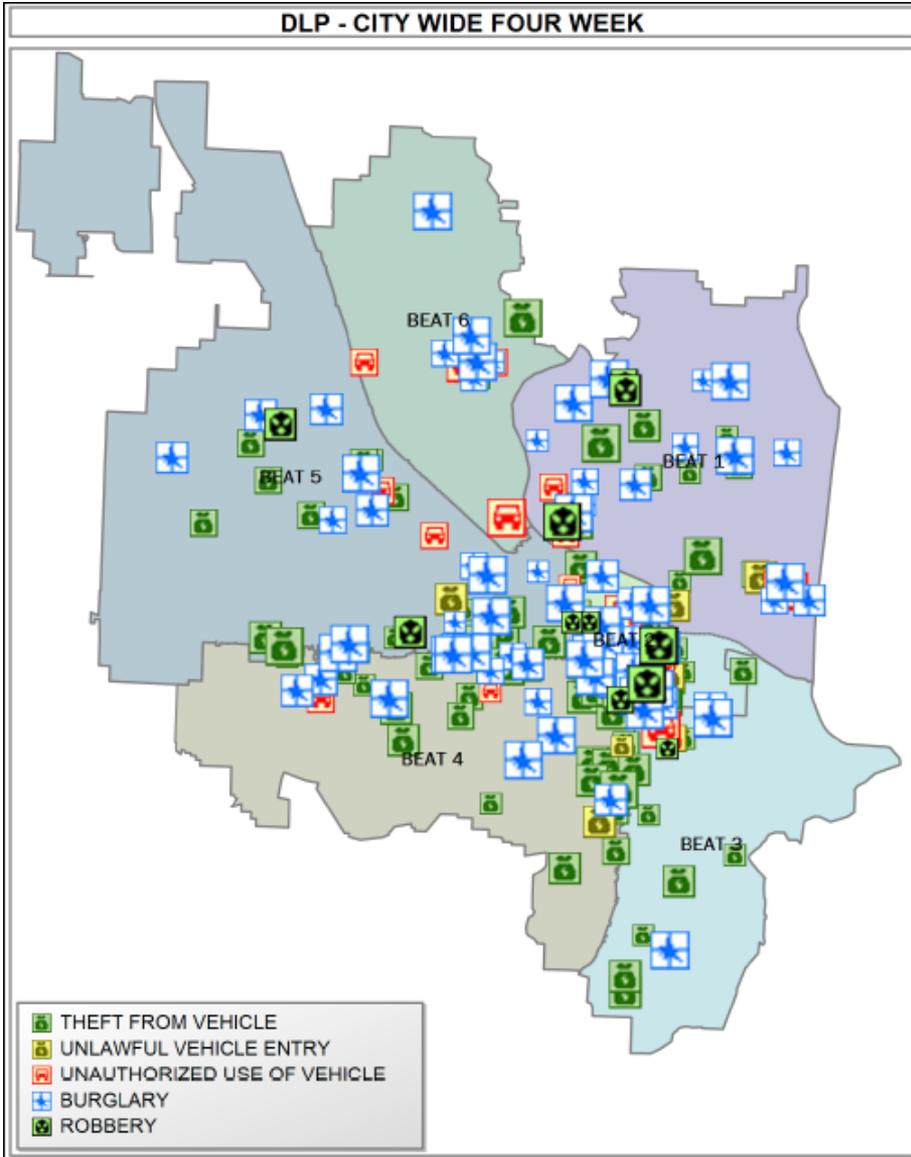


	LAST WK	THIS WK	TOTAL	%TOTAL
BURG	21	36	57	50%
ROBB	3	3	6	5%
THEFT	28	11	39	35%
UUV	1	5	6	5%
UEMV	4	1	5	4%
TOTAL	57	56	113	100%

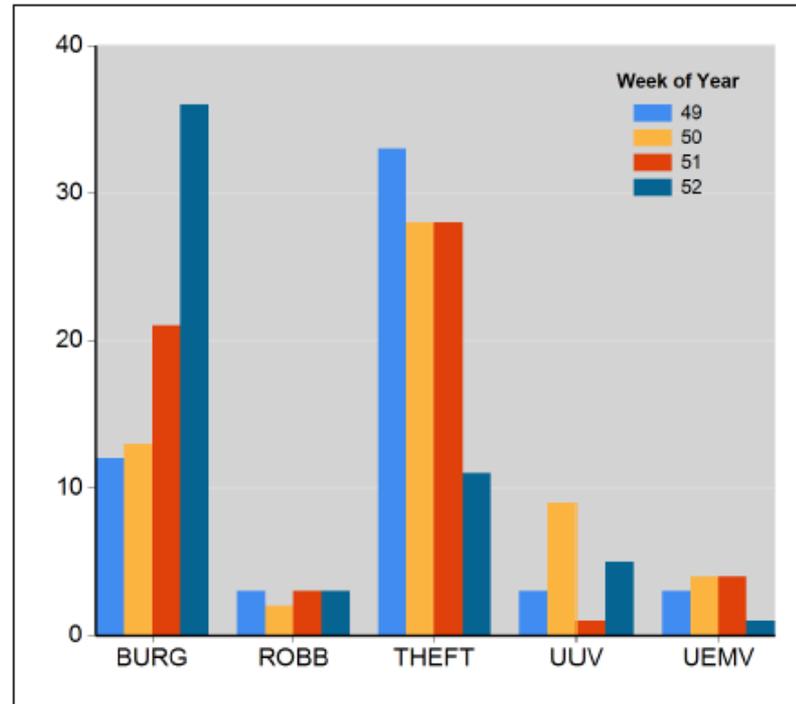


DLP-Four Week City-Wide

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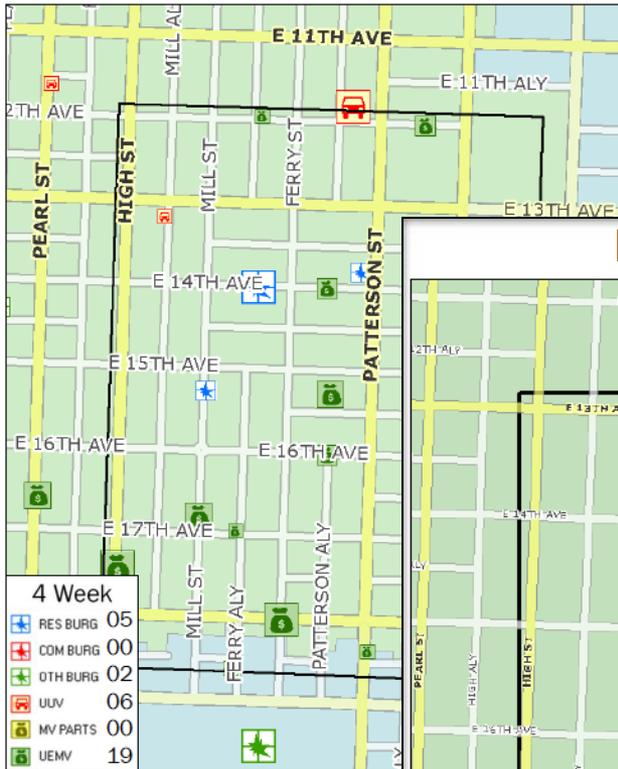


	BEAT 1	BEAT 2	BEAT 3	BEAT 4	BEAT 5	BEAT 6	TOTAL
BURG	18	19	5	11	23	6	82
ROBB	3	4	1	0	3	0	11
THEFT	14	19	18	26	19	4	100
UUV	5	3	1	2	3	4	18
UEMV	2	4	3	2	1	0	12
TOTAL	42	49	28	41	49	14	223



Area of Concern

E 12th Ave. to E 18th Aly. / High St. to Alder Aly.



31 incidents/4 weeks: Half of reported incidents occurred between midnight and 0800hrs. Total activity was highest on Thursdays, with roughly 40% occurring Wednesday nights through Thursday mornings. There was a spike in reported activity on Thursdays between midnight and 0200hrs..

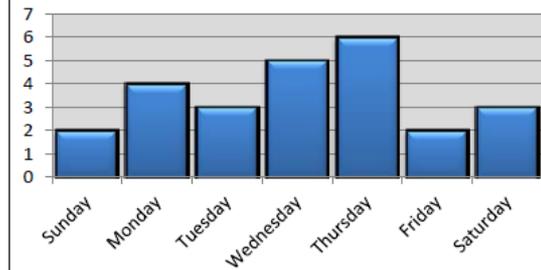
Burglaries: Entry typically made through unlocked front doors. SP/ typically included: game consoles/games, laptops/electronics, bags +contents.

E 13th Ave. to E 18th Aly. / High St. to Alder Aly.

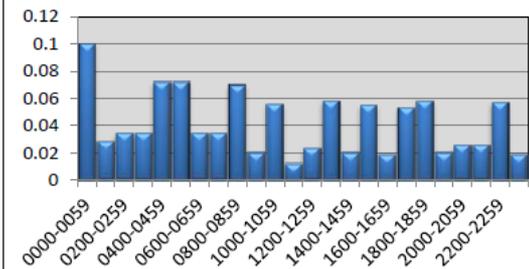


25 Incidents in 4 weeks
44% of incidents occurred on Wed & Fri,
slight spike 2200-0100hrs

Incidents by Day of Week



% of Total by Hour



Top 10 Dispatched CFS Locations - Crimes

4550 W 11TH AVE (WALMART)	
SHOPLIFT 3050 PROGRAM	118
THEFT	108
CRIMINAL TRESPASS	30
HIT AND RUN	28
DISPUTE	22
ALL OTHER	199
Total	505

100 W 10TH AVE (EUGENE LIBRARY)	
CRIMINAL TRESPASS	63
THEFT	32
TRANSPORT	22
ASSIST PUBLIC- POLICE	19
BEAT INFORMATION	12
ALL OTHER	136
Total	284

145 E 18TH AVE (SAFEWAY)	
SHOPLIFT 3050 PROGRAM	60
THEFT	55
CRIMINAL TRESPASS	20
SHOPLIFT	14
BEAT INFORMATION	8
ALL OTHER	99
Total	256

3333 W 11TH AVE (FRED MEYER)	
THEFT	37
SHOPLIFT 3050 PROGRAM	29
HIT AND RUN	13
CRIMINAL TRESPASS	11
TRANSPORT	11
ALL OTHER	127
Total	228

4275 BARGER DR (WINCO FOODS)	
SHOPLIFT 3050 PROGRAM	50
HIT AND RUN	18
THEFT	14
ANIMAL CRUELTY	13
CRIMINAL TRESPASS	13
ALL OTHER	92
Total	200

240 WASHINGTON ST (WJ SKATEPARK)	
BEAT INFORMATION	30
DISPUTE	16
DRUG INFO	14
DISORDERLY SUBJECT	13
THEFT	12
ALL OTHER	113
Total	198

293 VALLEY RIVER CENTER (VALLEY RIVER CENTER)	
HIT AND RUN	25
THEFT	22
INCOMPLETE CALL	9
DISORDERLY SUBJECT	8
SHOPLIFT	8
ALL OTHER	114
Total	186

90 COMMONS DR (STADIUM PARK APARTMENTS)	
THEFT FROM VEHICLE	27
LOUD NOISE	17
BEAT INFORMATION	14
BURGLARY	11
THEFT	11
ALL OTHER	94
Total	174

Top 10 Dispatched CFS Locations - Services

1255 HILYARD ST (SACRED HEART UNIVERSITY DISTRI)

TRANSPORT	816
ASSIST PUBLIC- POLICE	60
DISORDERLY SUBJECT	34
CRIMINAL TRESPASS	20
FOLLOW UP	17
ALL OTHER	136
Total	1083

341 E 12TH AVE (WHITE BIRD CLINIC)

TRANSPORT	537
ASSIST PUBLIC- POLICE	258
CRIMINAL TRESPASS	90
CHECK WELFARE	25
DISORDERLY SUBJECT	25
ALL OTHER	105
Total	1040

605 W 4TH AVE (BUCKLEY DETOX)

TRANSPORT	119
ASSIST PUBLIC- POLICE	74
CRIMINAL TRESPASS	25
DISORDERLY SUBJECT	25
CHECK WELFARE	10
ALL OTHER	45
Total	298

1542 W 1ST AVE (EUGENE MISSION)

TRANSPORT	105
ASSIST PUBLIC- POLICE	66
CRIMINAL TRESPASS	16
THEFT	14
DISORDERLY SUBJECT	9
ALL OTHER	64
Total	274

450 HWY 99N (EUGENE SERVICE STATION)

TRANSPORT	148
ASSIST PUBLIC- POLICE	28
CRIMINAL TRESPASS	16
DISPUTE	13
ASSAULT	9
ALL OTHER	47
Total	261

1420 W 1ST AVE (EUGENE MISSION WOMEN)

ASSIST PUBLIC- POLICE	99
TRANSPORT	99
CHECK WELFARE	10
DISORDERLY SUBJECT	8
THEFT	6
ALL OTHER	25
Total	247

101 W 5TH AVE (LCAC)

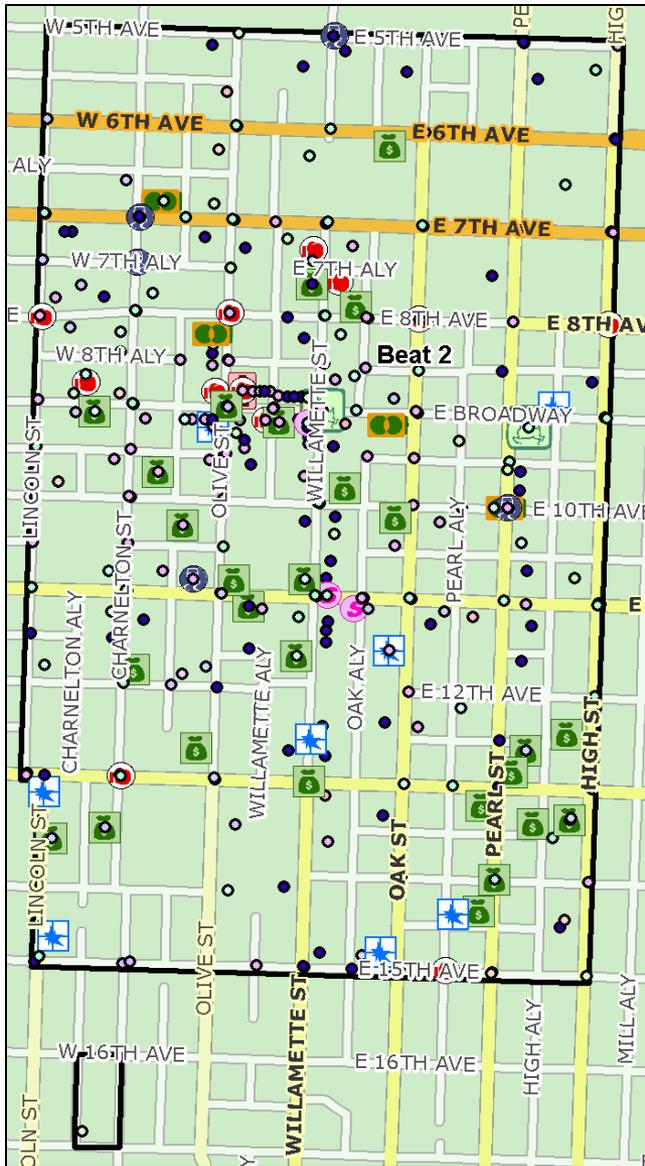
ASSIST PUBLIC- POLICE	73
TRANSPORT	57
LOCATION WANTED SUBJECT	31
FOLLOW UP	11
WARRANT SERVICE	9
ALL OTHER	57
Total	238

1080 WILLAMETTE ST (LTD EUGENE STATION)

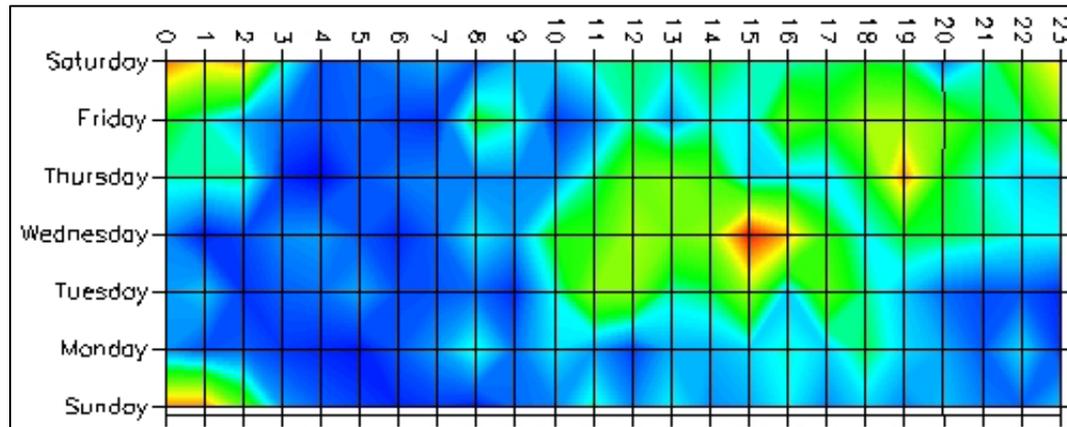
ASSIST PUBLIC- POLICE	20
TRANSPORT	19
THEFT	17
CRIMINAL TRESPASS	16
DISPUTE	14
ALL OTHER	113
Total	199

Downtown CFS: November 2014

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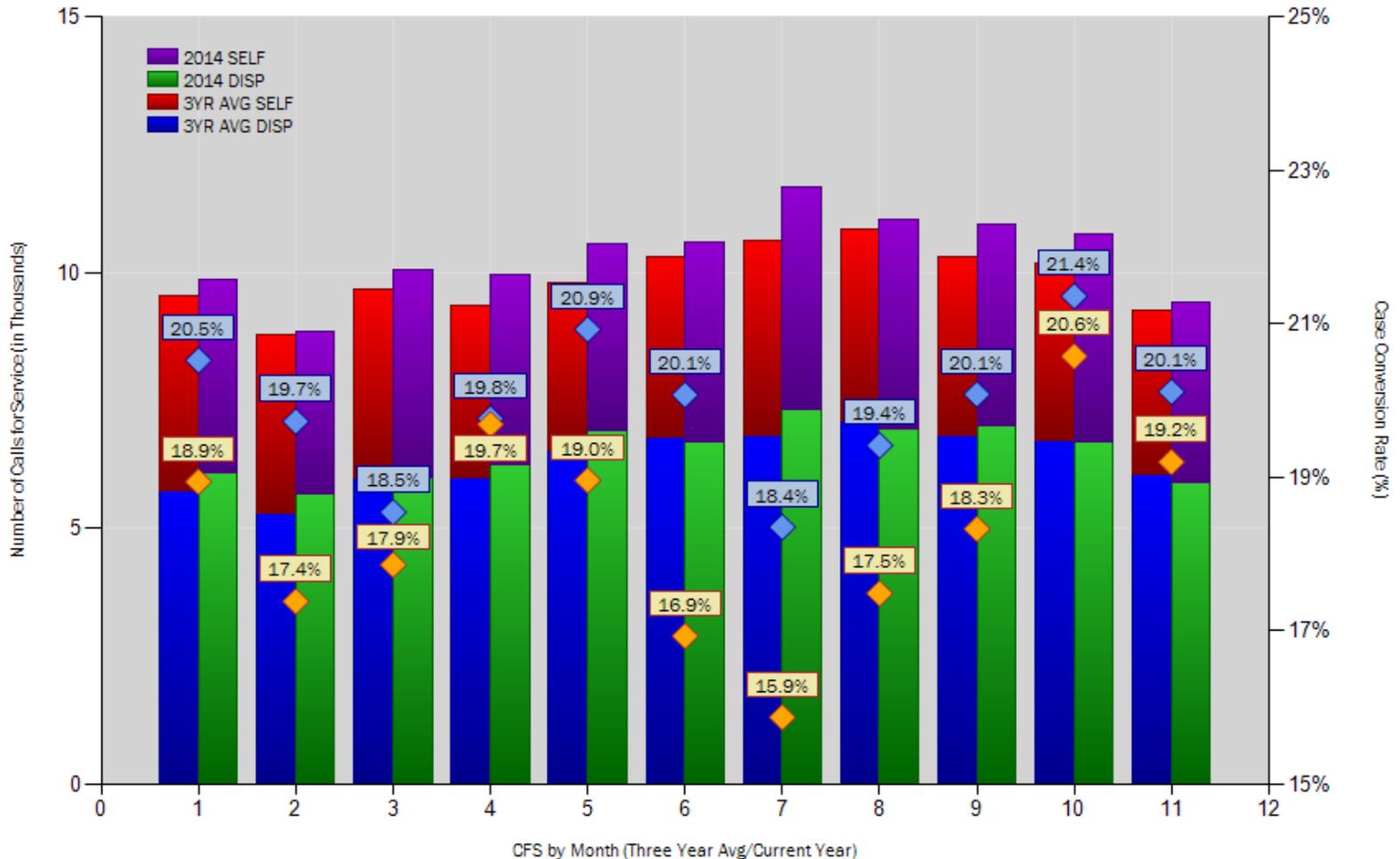
Top Self Initiated	Count	Top Dispatched	Count
PERSON STOP	259	CRIMINAL TRESPASS	45
TRAFFIC STOP	159	DISPUTE	43
FOLLOW UP	23	DISORDERLY SUBJECT	28
DISPUTE	11	BEAT INFORMATION	26
WARRANT SERVICE	9	SUSPICIOUS CONDITIONS	19
CRIMINAL TRESPASS	7	THEFT FROM VEHICLE	19
DISORDERLY SUBJECT	6	THEFT	16
DUII	5	INCOMPLETE CALL	15
FIGHT	5	CHECK WELFARE	13



City Wide Case Conversion

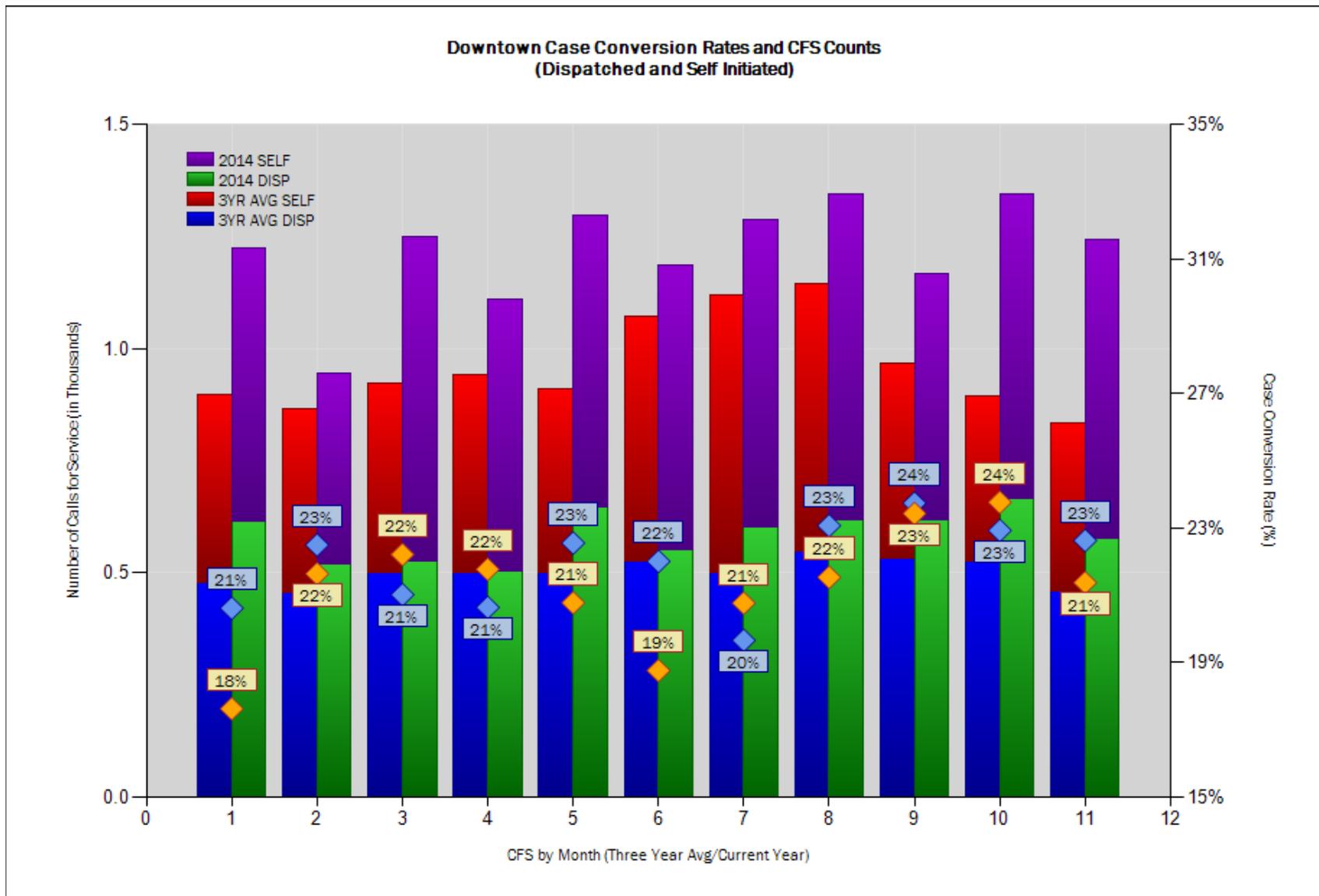
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City-Wide Case Conversion Rates and CFS Counts
(Dispatched and Self Initiated)



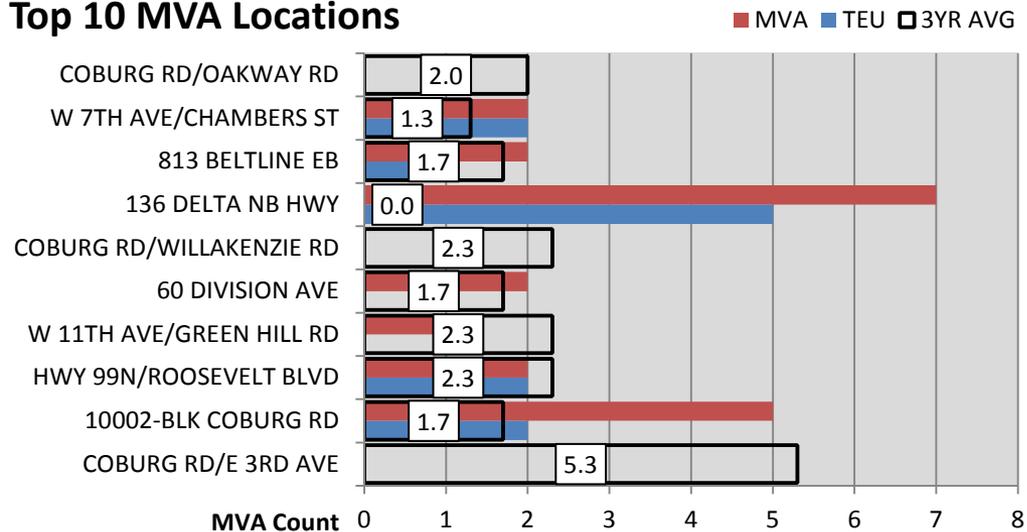
Downtown Case Conversion

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MVA/TEU Activity: November 2014

Top 10 MVA Locations



LOCATION	November				December
	TEU	MVA	3YR AVG	DIFF	3YR AVG
COBURG RD/E 3RD AVE	0	0	5.3	5.3	1.7
10002-BLK COBURG RD	2	5	1.7	-3.3	1.0
HWY 99N/ROOSEVELT BLVD	2	2	2.3	0.3	1.7
W 11TH AVE/GREEN HILL RD	0	1	2.3	1.3	1.3
60 DIVISION AVE	0	2	1.7	-0.3	0.7
COBURG RD/WILLAKENZIE RD	0	0	2.3	2.3	1.0
136 DELTA NB HWY	5	7	0.0	-7.0	0.0
813 BELTLINE EB	1	2	1.7	-0.3	1.3
W 7TH AVE/CHAMBERS ST	2	2	1.3	-0.7	0.7
COBURG RD/OAKWAY RD	0	0	2.0	2.0	0.3
Grand Total	12	21	20.6	-0.4	9.7

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Loud Noise/Disorderly Party CFS

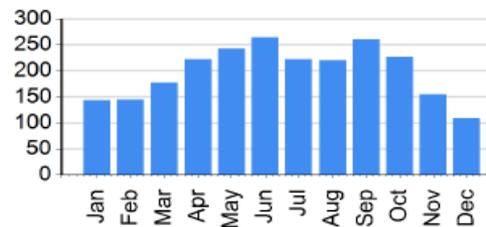
Loud Noise/ Disorderly Party Calls January 01 to November 30

Year to Date Comparison, Jan 01 to Nov 30

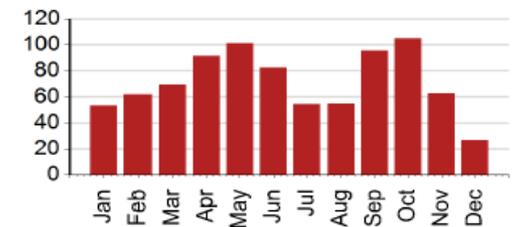
	2012	2013	2014	% Change from 2013
City Wide	2453	2266	2101	-8%
UofO	852	738	899	18%

University Boundaries in this report are:
 Willamette St to the West (GEOX 4239538)
 5th Ave/River to the North (GEOY 880860)
 Interstate 5 to the East (GEOX 4250938)
 26th Ave to the South (GEOY 871735)

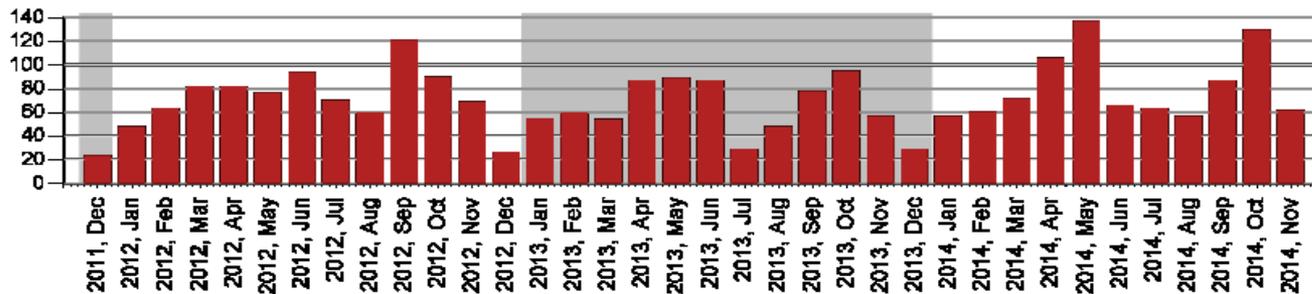
City Wide 3 Year Avg



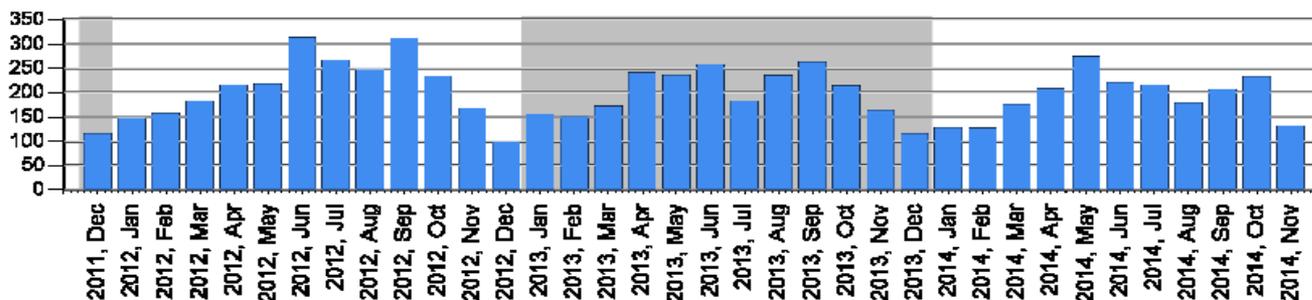
University 3 Year Avg



University Rolling 3 Year



City Wide Rolling 3 Year





America's Safest City

The Most Professional Agency



MEMORANDUM

Date: December 29, 2014
To: Chief Pete Kerns
From: Captain James K. Durr
Subject: Court Overtime

I conducted an analysis of Court Overtime Expenses to determine any irregularities. My analysis all court overtime was conducted using July 1, 2014 through December 15, 2014 (FY14-15). During this period of time, the agency incurred overtime costs of \$48,179.08. There were a total of 908.75 hours of court time at the average overtime rate of \$53.02. It should be noted that court overtime analysis included officers, community service officers, detectives and civilians due to the payroll coding. The following chart breaks down the overtime and hours by court code:

		Hours
127001 Court	\$1,161.85	24
127259 Grand Jury	\$21,967.07	406.5
127260 Eugene Municipal	\$14,218.95	280.5
127261 Lane County Circuit	\$10,831.21	197.75
TOTAL	\$48,179.08	908.75

Court overtime is being compensated mostly to officers who work nights which is to be expected due to the nature of the work, the subpoenas issued by courts and the labor contract.



POLICY
510

EFFECTIVE
DATE
022114

Eugene Police Department



VEHICLE TOWS AND INVENTORIES

510.1 PURPOSE AND SCOPE

In the interest of public safety and accountability, the Eugene Police Department will impound vehicles for certain traffic offenses and under other specific conditions. Before the vehicle is towed, it will be inventoried. An inventory is a legitimate law enforcement activity that is not a search and that sometimes, incidentally, results in the discovery of evidence. Vehicle inventories will be conducted prior to vehicle tows and impounds, and are conducted to protect the City from claims of loss and theft, the vehicle owner's property, and the Tow Company, public, and police employees from potential danger. This policy applies to all sworn law enforcement officers of this Department.

510.2 IMPOUNDS FOR TRAFFIC OFFENSES

Under the authority of ORS 809.720, a police officer may, at the time of a traffic stop, impound vehicles operated by persons they have probable cause to believe committed any of the following offences:

- Driving Under the Influence of Intoxicants (ORS 813.010)
- Driving While Revoked or Driving While Suspended (Misd/Fel) (ORS 811.182)
- Driving While Suspended (Violation) (ORS 811.175)
- Operating Vehicle without Driving Privileges or Violate Restrictions (ORS 807.010)
- Driving Uninsured (ORS 806.010)

A vehicle will be impounded unless a higher priority law enforcement function is required of the impounding officer and demands his or her attention elsewhere, or a significant time constraint is present and it does not constitute a good use of time.

A vehicle will be impounded only if a citation is issued for one or more of the listed violations.

The vehicle will normally not be impounded if a registered owner of the vehicle is a passenger and able to legally operate the vehicle, except in cases where the vehicle is not covered by insurance.

A vehicle will not be impounded if to do so would be likely to endanger the offender or passengers in the vehicle.

510.2.1 IMPOUNDING CRITERIA GUIDANCE

DUI or Driving While Suspended (Criminal): The vehicle will be impounded, unless another person who is a registered owner is present and able to legally operate the vehicle, or the

vehicle which was observed on a public highway is now parked in a private driveway belonging to the vehicle owner.

Driving While Suspended (Violation): Impound the vehicle if the driver's driving privilege is suspended and he or she has been previously cited for DWS, if the person admits knowledge of having a suspended license, if you can establish "constructive knowledge" that the person knew his or her driving privilege was suspended, or if you have a reasonable belief that the person will continue to operate the vehicle if it is not impounded.

Operating Without Driving Privilege: Impound the vehicle if the person has been cited within the past 3 years for this offense, or if you have a reasonable belief that the person will continue to operate the vehicle if it is not impounded. (You would not normally impound the vehicle if the person has a valid driver's license from another state.)

Violating License Restrictions: Impound the vehicle **only** if the violation creates a significant safety hazard and you have a reasonable belief that the person will continue to operate the vehicle if it is not impounded.

Driving Uninsured: Impound the vehicle only if you can establish with reasonable certainty there is no insurance for the vehicle (e.g., admission of driver, contact with insurance company/agent, recent previous citations for no insurance). In other cases, a citation may be issued, but the vehicle should not be impounded. Remember that most insurance policies automatically cover newly-acquired vehicles for a period of time, and also cover other vehicles being legally operated, such as borrowed or rented vehicles. Proof of insurance may be in any of the following forms:

- a card from an insurance company, with appropriate effective and expiration dates, showing that the vehicle is currently insured
- a current and valid insurance policy or binder issued by an insurance agent
- proof of a bond meeting the requirements of ORS 806.090
- proof of deposit with the State Treasurer meeting the requirements of ORS 806.060 and 806.115
- proof of a DMV policy for self-insurance as provided under ORS 806.130
- a displayed Oregon dealer plate
- electronic proof of insurance presented via a "smartphone" or other electronic device.

510.3 VEHICLE IMPOUNDS NOT RELATED TO OFFENSES

510.3.1 SAFEKEEPING TOWS

When you arrest the operator of a vehicle, you may have the vehicle towed if necessary for safekeeping, to prevent a safety hazard, or if it is not parked lawfully. You should not have the vehicle towed if:

- a. The owner is present or in contact with you or dispatch and he or she is capable or deciding the vehicle's disposition, **and**
- b. The vehicle can be secured and left legally parked at its present location and you believe it is safe to do so.

510.3.2 VEHICLES IMPOUNDED AS EVIDENCE

Only a supervisor may authorize a vehicle to be impounded as evidence. List the authorizing supervisor's name in the accompanying police report and on the impound form.

Vehicles as evidence impounds should be conducted to preserve evidence and in accordance with statutory and case law. Always consider a search warrant prior to impounding a vehicle as evidence.

Send all vehicles impounded as evidence to the City lot at 255 Lincoln Street. If it is acceptable to store the impounded vehicle outside, park it in one of the designated slots for impounded vehicles. For vehicles requiring storage in the secured covered area on the south side of the yard, contact the Watch Commander.

If a vehicle needs timely processing by FEU personnel and the vehicle needs to be protected from the elements until that processing can occur or the vehicle is critical to a major case investigation, the vehicle may be towed to the Garfield Police Facility upon authorization of the FEU Supervisor or designee.

All vehicles impounded as evidence should be locked whenever possible, and when practical, sealed with evidence tape.

Complete an Evidence/Property Report form for the impounded vehicle. For vehicles stored at the 255 Lincoln Street facility, place the sheet with the vehicle keys just inside the front door to the VNU office, and send an e-mail to the Evidence Control Unit (ECU) Sergeant indicating that the keys were left and the case number involved. The keys should be placed in a small evidence bag or envelope with the case number printed on it. You must place the pink copy of the Evidence/Property Report form on the front driver's seat so that the case number can be seen from outside the vehicle.

Supervisors should route a copy of the impound report to the ECU supervisor for any vehicle being stored at the 255 Lincoln Street facility.

510.3.3 VEHICLES SEIZED FOR FORFEITURE

Contact the SIU Sergeant upon determining a vehicle may be suitable for criminal forfeiture. If the SIU Sergeant concurs that the vehicle should be impounded, handle the vehicle seized for forfeiture in the same manner as described in Section 510.2.2 *VEHICLES IMPOUNDED AS EVIDENCE* above, except that the vehicle does not need to be sealed with evidence tape.

510.4 VEHICLE INVENTORY POLICY

This inventory policy is meant to protect the Eugene Police Department from false or fictitious claims regarding lost or stolen property. This inventory policy is also meant to protect the Eugene Police Department from negligence claims and other tort claims arising from an individual's contact with potentially harmful items or material either during the inventory or after the vehicle is released to a third party. This policy ensures that the person operating the impounded vehicle has their property and vehicle inventoried in a systematic and non-discretionary manner by directing our officers to open all closed containers that are uniquely designed or objectively likely to contain any of the items listed below. Furthermore, this policy forbids the impounding officer from opening closed containers that are not uniquely designed or objectively likely to contain any of the listed items.

Areas you are commanded to search are:

- Glove box and consoles
- Beneath all seats

- Interior of the trunk
- Any external closed compartment or container (such as a roof rack or truck box)
- Any container that is uniquely designed or objectively likely to contain items (a)-(d).

Officers will inventory the vehicle for the following items for the reasons stated below:

- Firearms:** Firearms are often valuable and valuable items are often subject of claims of lost or stolen property. In order to protect the City of Eugene and other government agencies from false claims of lost or stolen property, any valuable item must be listed by description as accurately as possible during the inventory.
- Hazardous materials or chemicals:** The United States Environmental Protection Agency classifies hazardous waste under CFR Title 40 (C)§ 261. Materials classified as “potentially harmful” due to having characteristics of ignitability, corrosiveness, reactivity, or toxicity are dangerous. In an effort to protect tow companies from injury or liability, any substance with properties that make it dangerous or potentially harmful to human health or the environment may not be impounded with the vehicle.
- Valuable items:** Valuable items are often subject of claims of lost or stolen property. In order to protect the Eugene Police Department and other government agencies from false claims of lost or stolen property, any valuable item must be listed by description as accurately as possible during the inventory.
- Prescription drugs:** Pharmaceutical/prescription drugs are often subject of claims of lost or stolen property. In order to protect the Eugene Police Department and other government agencies from false claims of lost or stolen property, any pharmaceutical/prescription drug item must be listed by description as accurately as possible during the inventory.

Keep in mind, an inventory is a non-investigatory procedure. During the course of inventorying personal belongings, if you encounter evidence of a crime in plain view it may be seized and lodged with the property control unit as evidence. If however, you develop probable cause to believe that evidence of a crime will be found within a closed container that is not open, and not subject to opening because it is not uniquely designed or objectively likely to contain any of the below listed items (a) through (d), it will be necessary to seize the closed container and seek a search warrant prior to opening the container.

Once the vehicle has been inventoried and any property which needs to be removed from the vehicle has been removed, the tow may be ordered through dispatch.

When applicable, provide reasonable assistance to occupants of the vehicle in obtaining alternative transportation. Ensure that they are not left at a location or in a situation which might reasonably be considered hazardous.

510.5 INSTRUCTIONS FOR EVIDENCE OR CONTRABAND

Any evidence seized from a vehicle inventory should be seized and lodged appropriately at the Evidence Control Unit. The evidence or contraband should be logged on an Evidence/Property form and a receipt copy made available to the driver, suspect, or other responsible person from whom the property is being seized from.

- Firearms:** List brand names, model numbers and serial numbers on the property receipt form, if applicable.

- b. **Hazardous materials or chemicals:** Seize and dispose of according to *Policy 804 Evidence and Property Handling*. If you have probable cause to believe that a container contains a hazardous material or device, adhere to the following:
 - a. If the item is unlawful to possess the container should be opened only based on independent legal authority to search (e.g., consent, search warrant), unless exigent circumstances require opening the container immediately to mitigate the hazard.
 - b. In other cases, the container may be opened to assess and mitigate (if necessary) the hazard presented by the item.
 - c. Always act with due caution and evaluate the information you have about the hazardous substance(s) to determine whether it is safe for you to open the container, or whether you should request the response of trained personnel (e.g., EDU, HAZMAT) to do so.
- c. **Valuable Items:** List brand names, model numbers and serial numbers on the property receipt form, if applicable.
- d. **Prescription drugs:** List brand names, generic names and quantity on the property receipt form, if applicable. Due to the value of some prescription medications, care should be taken to note the prescription drug by description as accurately as possible during the inventory. Medications should only be seized if the officer cannot determine with reasonable certainty that the medications are legal to possess and belong to a driver/occupant of the vehicle.

510.6 REPORTING IMPOUNDS

Notify a supervisor of any unusual circumstances involved with the intended impound, or if there is a possibility that the impound might create unusual difficulties for the vehicle's driver or owner.

Complete the Impound Report or Evidence/Property Report form. Give a copy of the Impound Report or Evidence/Property Report form to the registered owner, if present, or to the driver, along with a copy of the release instructions. Advise that person where the vehicle is being taken. Indicate in your report to whom the copy of the form was given.

Complete and submit a police report which uses the Impound Report as the face page. Due to notice requirements, this report may not be held.

510.7 IMPOUND HEARINGS

If you have training or time off which is to occur within the next 30 days that has been previously scheduled and approved, you must complete an affidavit through the court which you cited the operator, have it notarized, and attach it to the Impound Report. The affidavit must contain all of the information needed by the court to establish that the tow was proper, including the reason for the stop, the violation for which the vehicle is being impounded, how the violation was established, date, time, location, and venue.

If a hearing to contest the impoundment is scheduled, appear and present evidence supporting the impoundment. You may use the affidavit in lieu of appearance only if the scheduled hearing conflicts with previously approved time off or training and you have supervisory approval.

IMPOUNDMENT OF VEHICLES UNDER AUTHORITY OF ORS 809.715 or 809.720
RELEASE INSTRUCTIONS - EUGENE POLICE DEPARTMENT
300 Country Club Rd, Eugene, OR 97401 open 24 hours (541) 682-5131

Your vehicle has been towed pursuant to ORS 807.010, 809.715, 809.720, EC 4.815 or 4.990(8). You may not remove parts from the vehicle prior to towing. In general, this will include any item that is connected (bolted, screwed, snapped into place or otherwise attached). This includes radios and sound equipment fitted to the vehicle. We cannot estimate tow charges as they can vary greatly from case to case. The tow company will generally require cash or credit cards – no checks.

In addition to paying tow charges, you must first obtain a release from the Eugene Police Department. In order to obtain a release for your vehicle, you must:

1. Go to the Eugene Police Department Records Section.
2. You will need to provide:
 - a) Proof of insurance with effective dates and listing the specific vehicle
 - b) Picture identification, such as your Oregon Driver's License
 - c) If you are not the legally registered owner of the vehicle, you must show proof of ownership:
 1. A signed off and dated title or
 2. A bill of sale that has been notarized, or
 3. A bill of sale on car sale business letterhead
 - d) A \$125.00 administrative processing fee (Fee does not apply to vehicle/trailer towed pursuant to EC 4.815 or 4.990(8)).
 - e) If towed pursuant to 809.720 you must provide proof that a person with valid driving privileges will be operating the vehicle.

PURSUANT TO THE OREGON VEHICLE CODE, COMPLIANCE WITH FINANCIAL RESPONSIBILITY REQUIREMENTS MAY BE SATISFIED BY ONE OF THE FOLLOWING:

1. A motor vehicle liability insurance policy
2. A bond approved by a judge of a court of record in this State
3. A deposit with the Oregon Department of Transportation
4. A self-insurance certificate issued by the Oregon Department of Motor Vehicles

AN INSURANCE POLICY MUST CONTAIN THE FOLLOWING:

1. Name of the insurance company
2. Effective date
3. Expiration date
4. Description or appropriate reference of all motor vehicles for which coverage is provided
5. Name insured(s) and all other persons insured under the terms of the policy

MANY INSURANCE COMPANIES ISSUE AN INSURANCE CARD TO THEIR CUSTOMERS. THE EUGENE PD WILL ACCEPT SUCH A CARD, BUT ONLY IF IT CONTAINS AT LEAST THE FOLLOWING INFORMATION:

1. Name of the insurance company
2. Effective date
3. Expiration date
4. Description of appropriate reference of the vehicle covered by the policy

Hearings on impoundment: A person entitled to lawful possession of the vehicle impounded under ORS 807.010, 809.715, 809.720, EC 4.815 or 4.990(8) may request a hearing to contest the validity of the impoundment within five calendar days of the date on the certified impound letter. The request must be in writing. Hearing request forms are available at the Eugene Police Department Records Division or Municipal Court.

You will still need to go through the above procedure to get your vehicle returned as quickly as possible. Do not wait for the hearings process to recover your vehicle.

The vehicle/trailer and contents will be sold (to cover costs) if not paid within the legal time frame. Depending on the value of the vehicle, this can occur either 15 or 30 days from the date of the impound pursuant to ORS 819.215, or ORS 819.210). If you have any questions regarding the hearings process, please call (541) 682-5400. If the vehicle/trailer is towed pursuant to EC 4.815 or 4.990(8) you will be subject to towing and storage charges and a lien will attach to the vehicle/trailer and its contents.

**CONFISCAR VEHICULOS SIN ASEGURANZA 809.715
CONFISCAR VEHICULOS POR MANEJAR: CON LICENCIA SUSPENDIDA (DWS), SOBRE LA INFLUENCIA (DUII), SIN LICENCIA DE MANEJAR 809.720
INSTRUCCIONES PARA RECOJER VEHICULOS - DEPARTAMENTO DE LA POLICIA DE LA CIUDAD DE EUGENE
300 Country Club Rd, Eugene, OR 97401 24 horas (541) 682-5131**

Su vehículo ha sido remolcado (de Grua) de acuerdo con ORS 807.010, 809.715, o 809.720. Para obtener permiso de reclamación, por su vehículo, usted tiene que:

1. Ir por El Departamento de Policía
2. Dar al Departamento de Archivos lo siguiente:
 - a.) Prueba de aseguranza, específicamente para el vehículo, con las fechas la aseguranza cubre
 - b.) Identificación con su foto (como Licencia de Manejar)
 - c.) Si usted no es nombrado como el dueño del vehículo (del DMV), tiene que dar prueba de propiedad:
 1. El título del vehículo, firmado con fecha, o
 2. Carta de venta notariada, o
 3. Carta de venta de una compañía que vende autos
 - d.) \$125.00 (US dls.) Efectivo o cheque para proceso del vehículo
 - e.) Si el vehículo estaba remolcado por ORS 809.720, ud. tiene que dar prueba del privilegio de manejar legalmente, o que alguien con ud. si la tiene.

Costo: No podemos estimar los cargos de las compañías de remolque (grua), como pueden ser diferente de cada compañía o situación. Generalmente, la compañía de remolque acepta dinero efectivo o tarjetas de crédito (no cheques.)

Usted no puede sacar partes del vehículo antes de remolcación. Generalmente, incluye lo que está sujeto con pernos/ tornillos, colocado en el vehículo, o puesto dentro del vehículo permanentemente. Incluye son radios, y equipo de sonido ya puesto en el vehículo.

SEGÚN EL CODIGO DEL VEHÍCULO (ORS), CONFORMIDAD DE ACUERDO CON LOS REQUISITOS DE ASEGURANZA PUEDE SER CUMPLIDO CON UNO DE LOS SIGUIENTES:

1. Una póliza de auto seguros/aseguranza
2. Una fianza aprobado de un juez de un corte/tribunal de archivo del Estado de Oregon.
3. Un depósito con el Departamento de Transporte del Estado de Oregon.
4. Un certificado de seguros personal, emitido del Departamento de Vehículos (DMV).

UNA PÓLIZA DE AUTO SEGUROS NECESITA INCLUIR LO SIGUIENTE:

1. Nombre de la compañía de aseguranza
2. Fecha efectiva de la póliza
3. Fecha de expiración
4. Una descripción del vehículo(s) asegurado(s) de la póliza
5. Nombre de la persona asegurada, y otros asegurados de las temas de la póliza

MUCHAS COMPAÑÍAS DE AUTO SEGUROS EMITEN A SUS CLIENTES TARJETAS DE PRUEBA DE ASEGURANZA. EL DEPARTAMENTO DE POLICIA DE EUGENE LAS ACEPTARÁN, PERO NECESITAN TENER LO SIGUIENTE:

1. Nombre de la compañía de aseguranza
2. Fecha efectiva de la póliza
3. Fecha de expiración
4. Una descripción del vehículo(s) asegurado(s) de la póliza

Audiencias de confiscación: Una persona que tiene derecho de posesión del vehículo confiscado de acuerdo con ORS 807.010, 809.715, o 809.720 puede solicitar una audiencia para impugnar la confiscación del vehículo dentro de cinco días después de haber recibido la carta certificada de la confiscación. La solicitud de la audiencia tiene que ser secreta. Formas para solicitar una audiencia están disponibles al Departamento de Policía, o la Corte Municipal de Eugene. **Todavía necesita usted seguir el procedimiento descrito en este forma, para recoger su vehículo lo más rápido que es posible. No espera usted la audiencia de impugnar para recoger su vehículo.** Si hay preguntas del proceso de audiencias, llame al (541) 682-5400. (No siempre hay alguien que habla español contestando los telefonos.)