



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, Rachel Hecht

Police Commission Meeting
May 14, 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
Citizens Filming Officers Policy Review	6:10 – 6:45	35 min
BREAK	6:45 – 6:55	10 min
Chief's Presentation	6:55 – 7:10	15 min
Review FY 2016/2017 Goals	7:10 – 7:40	30 min
Discuss Applicant Interviews	7:40 – 8:05	25 min
Request for Support of HRC Intimidation II Joint Resolution	8:05 – 8:15	10 min
Commissioner Closing Comments	8:15 – 8:30	15 min

UPCOMING Police Commission Meetings:

June 11, 2015

City of Eugene Police Commission

April 9, 2015

DRAFT Meeting Notes DRAFT

Please note the official full record is contained in the video recording [here](#).

The meeting convened at 5:30 P.M.

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

Members absent: Mike Clark; Edward Goehring; Claire Syrett

Staff in attendance: Chief Pete Kerns, Sgt. Matt Lowen, Leia Pitcher, Jeremy Cleversey

Agenda Review

Mr. Cleversey reviewed the agenda and announced the following: Ms. Syrett and Mr. Goehring sent their apologies for not being able to attend that night, offered map printouts to the May 2, 2015 retreat, and welcomed those taking video while asking that they please not stand in front of the public record video camera.

Public Comments

Jack Dresser – Listed concerns regarding the CCTV Proposal to install surveillance cameras downtown: concerned over public intrusion, oversight, believes it is a financial mistake. Requests strict supervision and a power balance with opponents of the cameras having representation over its supervision.

Carol Berg-Caldwell thanked the commissioners that attended the community conversation hosted by the Civil Liberties Defense Center and thanked the Police Commission for the unanimous vote to forward the policy on Citizens filming police officers.

Majeska Seese-Greene commented on the draft policy of citizens filming officers – Section 415.5 ‘Arrest Based Upon Restrictions’ and pointed out issues for considering adjustment. Ms. Seese-Greene states that she is concerned that the policy prohibits citizens who are at an event, like a protest that has gone awry, from having the right to leave with their equipment or their recording. She asks if that is what EPD wants in the Policy and if that is what the Police Commission supports?

John C. Helmer – talked about the use of hollow point bullets, explained how they explode within the target they hit and said that they are illegal by international law. He suggested a demilitarized zone within the city where people could be randomly searched for weapons and that the average citizen should not be able to carry them.

Jana Thrift – requests that EPD and the Police Commission find someone qualified to look over the constitutional protections to help in the drafting of Policy 415 – ‘Recording Police Activities by the Community.’ Requests something be placed in the wording to remove the distance vagueness that videographers can stand from police.

Raquel Hecht joined the meeting.

Sasha Tuckey – does not like being filmed and feels kind of violated when filmed but would feel reassured if it was for her safety and protected her from those with a biased, dampened perspective.

Commissioner Comments

Mr. Walker introduced Raquel Hecht (Police Commissioner).

- Multiple commissioners welcomed Ms. Hecht to the Commission.

Mr. Rode gave thanks for the awareness that he has received being on the Police Commission and stated that he is proud to be a part of this organization.

Mr. Whalen is also proud to be a member of the Police Commission and for the work they have done. He is particularly proud to know that EPD is voluntarily working on racial profiling and community issues without the

orders of the Justice Department like three agencies listed on Monday's webinar on race, community and policing.

Mr. Manning discussed his experience in attending the EPD Deadly Use of Force training on March 15th. He encouraged all of the Police Commissioner's to consider attending a future training. He guaranteed they will walk away with a different perspective. He stated that in all professions you will find those that intend to do harm, however with police it draws more attention. He does not believe that police departments should be militarized but does believe that officers should have the needed tools to allow them to go home to their families. Mr. Manning as the Chair of the Advocacy Commission shares that he provided testimony before legislators on House Bill 2002 on profiling. He discussed his experience with EPD and forwarding on a copy of the profiling policy that the Police Commission work on to the crafters of that bill which chose to incorporate aspects of the policy. The bill is expected to pass at the state level.

Mr. Lohrke said that he attended the Civil Liberties Defense Center (CLDC) meeting and thanked Mr. Whalen for pointing out in that meeting that the CCTV policy specifies that facial recognition will not be used in conjunction with cameras. He thanked the department for the Use of Force of Training.

Mr. Tyndall thanked EPD for the Use of Force Training, saying that he still thinks about the scenarios. He asked, "Where do the ceased cell phones that go to auction come from?" Reminded commissioners of policy 415 outreach and suggests that he would like to see that subject revisited. He did record the CLDC event on Tuesday and offered DVDs to the commissioners. Remarked on Jack Dresser's comments and said that he thought it would be good to have people against CCTV brought in for oversight. He asked, "Do police use hollow point bullets? And if so do we want to discuss that?"

Chief Kerns responded that most police do use hollow point bullets. The bullets are more likely to stay in the person who is creating a deadly threat rather than travel on to become a hazard to other members of the community.

Mr. Tyndall asks for confirmation that more damage is done to the person being shot.

Chief Kerns says that might be but it is more likely to be a greater threat to someone who poses a deadly threat than to innocent bystanders.

Mr. Garner asked Chief Kerns for confirmation that the CCTV cameras are just a pilot and test and clarified that for the record. He commented that he had been lucky enough to attend the Citizen's Police Academy and spoke to all of the scenarios that officers may face. He recommends the experience to anyone who does have the opportunity to attend the Deadly Use of Force training.

Mr. Walker thanks the community for expressing themselves to the Police Commission. He spoke about the Deadly Use of Force training and pointed out the various scenarios and the importance of training the officers.

- He wants to remind everyone about the upcoming retreat on May 2, 2015 and requests Commissioners bring the issues that are important to them.

Ms. Miller spoke of not liking the adrenalin when she was faced with certain scenarios in the Deadly Use of Force training. She discusses the irony of discussing that it's ok for citizens to record on the street but not the police. Asks Chief Kerns for confirmation that the Citizen's filming Police Policy will be run by the City Attorney to verify there are not any constitutional issues (Chief Kerns shook his head in agreement). Ms. Miller asks Chief Kerns if there is a policy about rendering aid after a person is harmed by police action such as a shooting. (Chief Kerns responded that its part of the officers' training that they are expected to render aid.)

Chief Kerns thanked the Citizens for coming to speak and he appreciates hearing what is on their minds. He explained how EPD's effort with the Police Commission and the CCTV policy is to achieve a place where fears are addressed and harm is reduced. Chief Kern's clarified, if we are able to do it, the pilot of the CCTV will have a conclusion date and the police commission will be able to discuss the results. He responded to Mr. Tyndall's question about why the vast majority of cell phones are ceased. Chief Kerns could not remember having ever said that EPD had a shoot to kill policy as was claimed in a recent letter to the editor. He said since he has been with the department EPD has not had a shoot to kill policy, training, or anything like that.

Approval of Minutes

Mr. Tyndall requested that the word citations in his comment at the bottom of the first page be adjusted to situations.

MOTION AND ACTION: Mr. Tyndall moved and Mr. Rode seconded approval of the minutes to include Mr. Tyndall's above mentioned adjustment. Approved unanimously.

Citizens Filming Officers Policy Review

Commissioner discussed the policy and Sgt. Lowen and Chief Kerns responded to questions.

Commissioners recommended the following adjustments:

- 415.3.Media: Changing language 'or digital means' to 'digital or any other means'.
- 415.5.2.c: Commissioner Tyndall request's the previous drafts language be returned regarding the presence of a supervisor for cell phone seizure.
- 415.5.3: First sentence revised to, "A supervisor will be summoned and respond to any scene where a recording device will be seized or an officer may make a telephonic or radio request of a supervisor to receive permission."
- 415.5: Add 'serious' to crime throughout.

Mr. Tyndall recommended consulting with Lauren Regan about her concerns for the policy.

Chief Kerns suggests that the Police Commissioners consider adjusting 415.5.2 so that it's not about ceasing all cell phones but instead only about seizing cell phones during the circumstances that they are worried about, "Police being videotaped while engaged in the use of force."

Commissioners recommended adjustments continued:

- 415.5.2.e: Should this section clarify that citizens will receive a receipt for their phone right away?
- 415.5.3: Should the end of the first sentence read 'may be seized' instead of 'will be seized'?

Point of Clarification: Mr. Manning to Mr. Tyndall that he did not refer to guns and camera.

Commissioners recommended adjustments continued:

- Remove search and seizure from this policy and refer to the search and seizure policy instead.

Mr. Walker tabled the discussion for the May meeting and requests Sgt. Lowen please make the suggested adjustment to the policy for the May meeting.

Break

Chief's Presentation

Chief Kerns reviewed his report and responded to questions. He asked Mr. Cleversey to please help him remember to get back to the Commission with the requested diversity breakdown of the 12 police officer candidates.

Deadly Use of Force Training Video

MOTION AND ACTION: Mr. Rode moved and Mr. Miller seconded that the Deadly Use of Force training video be moved to the end of the meeting. Approved unanimously.

Appoint Police Commission Candidate Interview Committee

Mr. Walker asked Vice Chair Ms. Miller if she would be willing to Chair the interview committee and she accepted.

Mr. Rode and Mr. Tyndall volunteered to be part of the committee.

MOTION AND ACTION: Mr. Manning moved and Mr. Walker seconded to approve the appointment of the committee to interview Police Commission candidates and for the Committee to set the date. Approved unanimously.

Work Plan/ Retreat Information Overview

Mr. Cleversey reviewed the plan for the Police Commission retreat and responded to questions

- Police Commission retreat packets would be e-mailed on April 24, 2015 and discussed
- The event is at Washington Park Community Center, 2025 Washington St., Eugene, OR 97405 (parking is on Washington Street).
- Breakfast and lunch items will be provided for the Commissioners
- Commissioners requested: Fruit, whole grain bagels, quinoa salad

Mr. Walker requested that Commissioners please each bring an issue that they would like to look at and announced that Jeremy will be including a list of policies.

Several commissioners requested a 1:00 P.M. end time.

Commission Comments

Members of the Commission offered closing comments.

Deadly Use of Force Training Video

Mr. Walker welcomed Commissioners to stay who had not had the opportunity to view the video.

The meeting adjourned at 8:03 P.M.

Notes taken by Jeremy Cleversey

City of Eugene Police Commission
May 2, 2015 Retreat
DRAFT Meeting Notes DRAFT

Please note the official full record is contained in the video recording [here](#).

The meeting convened at 9:00 A.M.

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

Members absent: Mike Clark; Claire Syrett

Staff in attendance: Chief Pete Kerns, Jeremy Cleversey

Welcome and Ice Breaker

Commissioners participated in a team building exercise where they shared a little about themselves.

Review FY 2014-2015 Work Plan & Identify Unfinished Work

Mr. Cleversey identified three unfinished topics that Commissioners had brought to his attention in the past months. Commissioners were provided with a spreadsheet and written summaries of work completed. No additional topics were listed.

1. Intimidation II and HRC
2. CCTV Follow UP
3. Stops Data Collection

Commissioners requested adjustments to the provided summaries of work completed:

- General consensus at the table was that review of polices related to Civil Disturbance did not occur in FY 2014. Mr. Cleversey promised to follow up. Commissioners requested that FY 2014 summary be fixed to exclude Civil Disturbance if confirmation of its existence could not be found.
- Requested that the 'Work Completed in FY 2015' document be adjusted to state 'Forming a Joint Resolution' instead of 'Forming a Joint Venture with the Human Rights Commission.'

Review Council adopted goals & mission, and Commission adopted goals & bylaws

Commissioner's reviewed and made comments.

Mr. Rode raised a concern that the quality of the Commission's output is effected by commissioners who do not attend on a regular basis.

MOTION AND ACTION: Mr. Manning moved and Mr. Rode seconded that Commission Chair Walker write to the Mayor about concerns that Councilor Clark is not participating in the process. Unanimous approval.

- Bylaws Article II Subsection 7.b typo correction - Commissions requested that 'Article 6, section 6' be adjusted to read 'Article 7, section 6'.

Break

Chief's Presentation – The Police Commission requested EPD FY 2016 & FY 2017 Initiatives

Chief presented initiatives and responded to questions.

- The homelessness population is growing – imagine Eugene had no homeless population and now they were going to be receiving 3,000. How does the City prepare for that?
- Social legitimacy: First Pillar of President Obama's Six Pillars of 21st Century Policing
 - On the minds of law enforcement, how do we interact? Policy?
 - Six Pillars: How would the Police Commission go through and apply?
- Citizens Police Academy x 2 – Hopes it helps with recruitment
 - Young people of color police academy
 - Recent immigrants police academy
- Outreach to suicidal or person whom are a danger to themselves or others.
 - Need to generate data to determine how much of a danger this is.

Commissioner Comments Followed:

Discussion ensued about legislation regarding gun laws and Senate Bill 941.

Ms. Miller asked about veterans who are seeking out counseling either because they have an interest in hurting themselves or someone else. Specifically she asked if veterans are offered the opportunity as part of their counseling to surrender their weapons before they hit that point of crisis.

Chief Kerns requested that Mr. Cleversey look into Ms. Miller's question and follow up with the commission.

Mr. Goehring discussed communication barriers with immigrants, a frequent flyer San Francisco study, and pairing up medical health workers with dispatch response.

Mr. Manning asked how we are being connected with the Lane Independent Living Alliance (LILA) to know about citizen's mental health issues and to know when people are going off of their medications.

Mr. Tyndall suggests that we need a better inventory of who is within the homeless community. He discussed a Springfield camera vendor who has created software to generate unique file names. Mr. Tyndall also spoke of a personal experience where he was a customer of EPD Records and identified suggestions for improvement.

Chief Kerns clarified that he did not want to be quoted as saying there are 3,000 homeless, he suggested that no one knows that actual count.

Mr. Whalen requests that two things be considered for the upcoming work plan: how to best implement a civilian police academy and EPD response to people in crisis whom are a danger to themselves and those around them.

Mr. Rode requested that commissioners please stay on topic. He commented on the need for realistic expectation of the police, pointing out that it is unrealistic for police to have better training dealing with suicidal veterans than a trained professional that has spent their life training on that topic. He hopes that a police academy for citizens might communicate the level of complexity when dealing with these situations.

Mr. Tyndall stated he intended to turn in three officer commendations in the next week. He shared concerns that homeless are undercounted. He responded to a question about the relevance of some of his comments, he pointed out that what people share with him and his experiences with the police are relevant to the table.

Mr. Garner commended Chief Kerns for using his limited resources carefully and much like data led policing strategically targeting groups that would benefit the most for a returning citizen's police academy.

Ms. Miller thanked Chief Kerns for attending the meetings and sharing the issues in the community that he is planning on working on.

Mr. Walker suggested it would be beneficial for the academies to include teenage gang members, and that mental health issues should be added to the work agenda such as policy 418 which includes a paragraph that states if possible remove the firearm.

Chief Kerns thanked all of the Police Commissioners for being in the retreat on a Saturday.

Break

Identify FY 2016 & 2017 Commission Community Issues and Priorities

1. Mental Health Crisis 418
2. Everyday concerns regarding police (public outreach)
3. Handcuffing & Control Holds 308
4. Emerging Issues (police community)
5. Body Worn Video recording (review)
6. Ticketing for no D.L./insurance
7. Recruiting/outreach for PC vacancies (for diversity)
8. Medical aid to suspects policy
9. Civil disturbances (not domestic dispute/ unrest)
10. Review 370 Communication
11. Police Uniform and Appearance (1001.1 & 1001.2)
12. Homelessness
13. Citizens filming crime/crime scene (and seizure of recording device)
14. Fees for release of public record
15. Presentation on how officers/ sworn personnel are evaluation and promoted
16. 201.1 Outside employment
17. 452 Medical marijuana (new for recreational)
18. Annual healthy & wellbeing assessment (mental & physical)
19. Discussion on social legitimacy
20. Outreach for target groups for modified police academy (civilian)
21. Review and/or discussion of President's committee on policing
22. Parade permit process/ fees
23. Policy 606 civil forfeiture

Prioritize – Vote & Discuss

Commissioners were given ten poker chips and used them to vote on the above listed topics. Commissioner could place all ten poker chips on a single topic or they could split their ten votes among the 23 topics listed on the table.

Closing Comments

Members of the Commission offered closing comments while Mr. Cleversey counted and listed the votes according to weight.

MOTION AND ACTION: Mr. Tyndall moved and Mr. Goehring seconded that biennial retreats be changed to annual. Opened to discussion.

Mr. Walker offered a historical briefing where he explained that the Commission had been having an annual plan and the Council seemed happier when they had a biennial plan like the other commissions. Ms. Miller offered an addendum to Bob's briefing stating that the Police Commission was encouraged to go to a biennial plan.

ACTION: Mr. Goehring withdrew his second upon receiving the information from Mr. Walker and Ms. Miller. – Mr. Lohrke seconded the motion.

Mr. Tyndall offered the following amendment to his motion with the support of Mr. Lohrke.

MOTION AND ACTION: Mr. Tyndall moved and Mr. Lohrke seconded that the biennial retreat remains with a two year plan and add a midcourse review/correction. Motion Failed (Aye – Tyndall and Nay – Walker, Miller, Lohrke, Whalen, Garner, Manning and Abstain – Goehring, Hecht)

Listed Priorities

The Commissioners reviewed the weighted issues.

Order	FY 2016 & 2017 Commission Community Issues and Priorities	Weighted
	Top 10	
1	Mental Health Crisis 418	12
2	Review and/or discussion of President’s committee on policing	12
3	Everyday concerns regarding police (public outreach)	7
4	Outreach for target groups for modified police academy (civilian)	7
5	Emerging Issues (police community)	6
6	Police Uniform and Appearance (1001.1 & 1001.2)	6
7	Discussion on social legitimacy	6
8	Policy 606 civil forfeiture	6
9	Medical aid to suspects policy	5
10	Civil disturbances (not domestic dispute/ unrest)	5
	Second 10	
11	Handcuffing & Control Holds 308	4
12	Citizens filming crime/crime scene (and seizure of recording device)	4
13	Annual healthy & wellbeing assessment (mental & physical)	4
14	Ticketing for no D.L./insurance	3
15	Recruiting/outreach for PC vacancies (for diversity)	3
16	Presentation on how officers/ sworn personnel are evaluation and promoted	3
17	Body Worn Video recording (review)	2
18	Fees for release of public record	2
19	452 Medical marijuana (new for recreational)	2
20	Review 370 Communication	1
	Parking Lot	
21	Homelessness	0
22	201.1 Outside employment	0
23	Parade permit process/ fees	0

MOTION AND ACTION: Mr. Goehring moved and Mr. Manning seconded that the commission approve the plan at May 14, 2015 Commission meeting. Unanimous approval.

The meeting adjourned at 12:46 P.M.

Notes taken by Jeremy Cleversey



MEMORANDUM

Date: May 6, 2015
To: Eugene Police Commission
From: Sergeant Matt Lowen *ML*
Subject: Changes to Policy 415 – Recording Police Activities by the Community

In the April meeting of the Police Commission I was asked to make the following changes to *Policy 415 – Recording Police Activities by the Community*:

- Amended §415.4(b)(2) to read “Intentional and persistent uses of video equipment to interfere with officer interviews of witnesses.”
- Struck the words “Subsequent to Arrest” from the title of §415.5.2



POLICY
415

EFFECTIVE
DATE
Draft 022615

Eugene Police Department



Recording Police Activities by the Community

415.1 PURPOSE AND SCOPE

The Eugene Police Department preserves and protects the rights guaranteed to its community members by the Federal and State Constitutions. Eugene's community members have a First Amendment right to video and audio record members of the Eugene Police Department while they are conducting their official duties, so long as the recording does not create a legitimate and articulable concern for officer safety, or a hindrance to successful and timely resolution of the police matter being handled. This policy provides guidance to department members on how to preserve the rights of community members who are recording police, and in rare instances where the recording member of the community violates any of the reasonable restrictions placed upon their ability to record police activities, the policy informs officers and supervisors how to successfully deal with an arrest and/or seizure of a recording device.

The overarching purpose of this policy is to provide for the unfettered exercise of rights guaranteed to Eugene's community, while ensuring the safety of the recording party, victims, witnesses, suspects and the officers.

415.2 POLICY

Members of the public, including media representatives, have an unambiguous First Amendment right to record officers in public places, as long as their actions do not interfere with the officer's duties or the safety of officers or others. Officers should assume that they are being recorded at all times when on duty.

415.3 DEFINITIONS

Recording: Capturing of images, audio, or both, by means of a video camera, cell phone, audio recorder, or other image capturing device.

Media: The storage source for visual or audio recordings, whether by film, analog, or digital means.

415.4 RECORDING POLICE BY COMMUNITY MEMBERS

Persons who are lawfully in public spaces or locations where they have a legal right to be present—such as their home, place of business, or the common areas of public and private facilities and buildings, city streets and sidewalks—have a First Amendment right to record things in plain sight or hearing, to include police activity. Members of the Eugene Police Department may not threaten, intimidate, or otherwise discourage or interfere with the recording of police activities. However, the right to record is not absolute and is subject to legitimate and reasonable legal restrictions, as follows:

- a. Officers may offer a reasonable distance that must be maintained from the scene(s) where enforcement or related police duties are being recorded. This distance is assigned by the officer on scene and will consider the totality of the circumstances regarding the particular police activity.
- b. Persons engaged in recording activities may not obstruct police actions. The fact that recording and or overt verbal criticism, insults, or name-calling may be annoying, it does not of itself justify an officer taking corrective or enforcement action or ordering that recording be stopped, as this is an infringement on an individual's right to protected speech. Examples of actions that obstruct police activities include, but are not limited to:
 1. Interference through direct physical intervention or breaching the reasonable distance established by the officer, thereby dividing his or her attention to the matter at hand.
 2. Intentional and persistent uses of video equipment to interfere with officer interviews with witnesses.
 3. Repeated attempts to engage an officer with questions or interruptions which divide the attention of the officer.
 4. Impeding the movement of emergency equipment, personnel or flow of civilian traffic or pedestrians.
 5. Any action by the recording party that jeopardizes the safety of an officer, victim, witness, suspect, or third party.
- c. Recording parties are not entitled to enter certain locations they are prohibited from entering simply to record police activities. Examples of locations recording parties are prohibited from entering or remaining upon include, but are not limited to:
 1. Any private property upon which the recording party would be trespassing;
 2. Entry into another person's private dwelling, garage, storehouse, etc.;
 3. Entry into an established crime scene;
 4. Entry into an area or building not accessible to the general public.

415.5 ARREST BASED UPON RESTRICTIONS

415.5.1 ARREST

Arrest of any person by a member of the Eugene Police Department for violating the reasonable restrictions placed upon their Constitutional rights will be based upon an objective, reasonable and articulable violation of the law (Interfering with Police, Trespassing, etc.) If it is reasonable and appropriate, any person who is violating the foregoing restrictions should be informed they are engaging in a prohibited activity and given an opportunity to locate an acceptable and legal alternative prior to being arrested. Nothing in this policy suggests an officer *must* warn a person participating in a prohibited activity.

415.5.2 SEIZURE OF RECORDING DEVICES

If an officer has a reasonable and articulable belief that a recording made of a scene or event has been captured by a recording party, and that recording contains the evidence of a crime, the officer may seize the recording whether or not the person has been the subject of an arrest. Officers may not order or coerce a recording party to show them recordings that have been made of official department action. Officers should consider that unless there is probable cause to believe evidence of a serious crime is contained in a recording, seizure may not be necessary. Nothing in this policy prohibits or negates the seizure of a recording device if the crime captured is subsequently not deemed 'serious'.

If, however, there is probable cause to believe there is evidence of a serious crime contained in a recording device the officer should do the following:

- a. Immediately request a supervisor to the scene.
- b. Ask the recording party in possession of the recording device if he or she will consent to voluntarily and temporarily relinquish the recording device or media so that it may be viewed and copied.
- c. If the recording party refuses, and it is objectively likely that the recording device contains evidence of a crime and that the recording could be destroyed, tampered with, or altered before a search warrant affidavit can be obtained the officer is may seize the recording device so that a warrant may be obtained authorizing the officer to view and duplicate the suspected recording.
- d. There is no exception to warrant requirement following an arrest where a recording device is seized **except** in *exigent situations where it is objectively reasonable to believe that immediate viewing of recordings is necessary to prevent death or serious bodily harm of another before a warrant can be authorized*. Only then can the recording device or media may be confiscated and viewed without a warrant.
- e. Whenever a recording device or media is seized without a warrant or obtained by consent, the seized item shall be held in police custody no longer than reasonably necessary for the police, acting with due diligence, to obtain a warrant. The device must be returned at the earliest possible time and its owner/operator given instruction on how it can be retrieved. In all cases property receipts shall be provided to the owner.

415.5.3 SUPERVISOR RESPONSIBILITIES

A supervisor will be summoned and respond to any scene where a recording device will be seized. The supervisor will examine the scene and facts of the case and determine whether or not the seizure is appropriate.

Chief Kerns' Report to the Police Commission



April 2015

Chief's Activities

- Bethel Community Gang Graffiti Discussion
- OACP Awards Banquet in Bend. Eugene Police Department Certificate of State Accreditation
- Delta Rotary Law Enforcement Recognition Day Luncheon. Det. Jeff Donaca Received Award
- National Volunteer Week Celebration—celebrating EPD volunteers.
- Remembering Officer Chris Kilcullen—wreath laying and balloon release
- Council Meeting—Police Auditor's Report
- In-Service Training

In the News



★ **Officer-involved Shooting**

★ **Stop! Look! And Listen! Eugene Safety Town
A Child Accident Prevention Program**

★ **Detectives arrest burglary suspect shown in
video posted online**

★ **April—Distracted Driving Awareness Month**

★ **Police seeing uptick in unlocked door/open
window burglaries Burglary Prevention Tips**

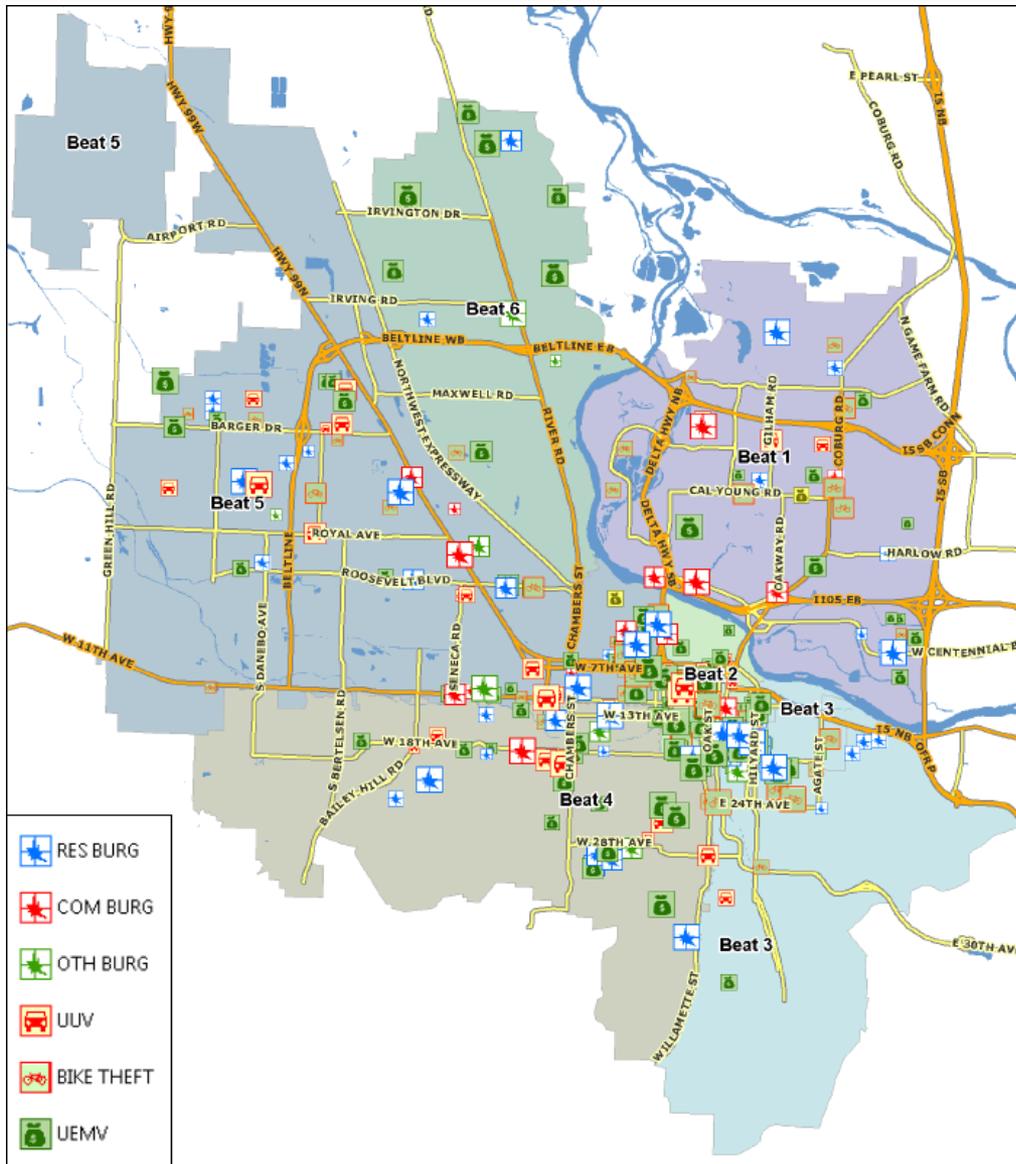
★ **Nation-wide Wire Transfer Scam**

Looking Ahead

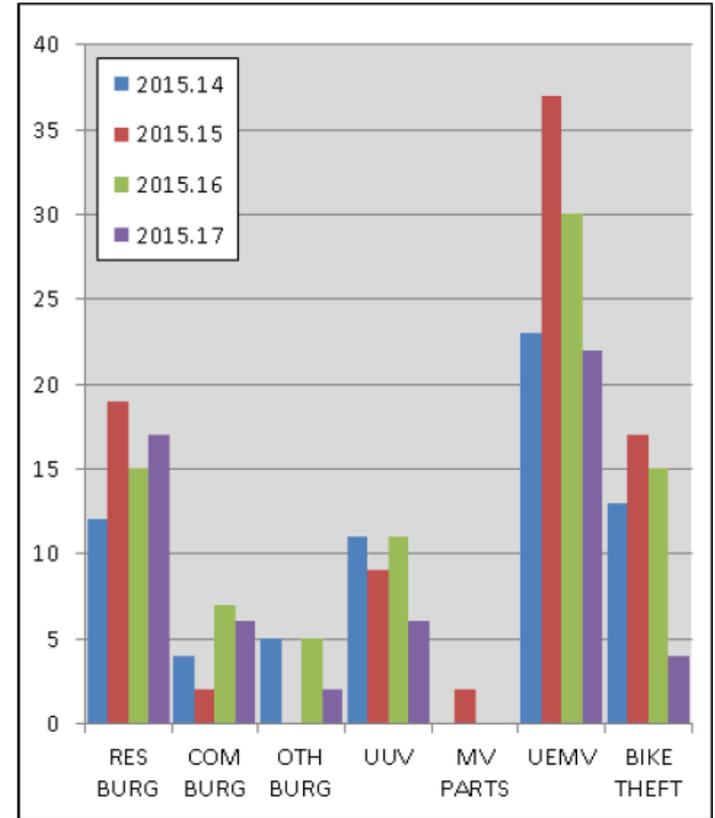
- **7 police officer candidates are moving forward in the first hiring process. The second round of police officer applicants have completed the interview phase.**
- **Two Records Specialist A candidates are in the background phase.**
- **One sergeant promotion in background phase.**
- **Two candidates for the Evidence Control Unit Limited Duration Evidence Specialist positions are moving forward.**
- **Animal Welfare Supervisor candidate in background phase.**
- **Two Animal Services Specialist (non-emergency call takers) are in the background phase.**
- **8 call taker candidates have moved to the background phase.**
- **Eugene Police Department Awards Ceremony will be held on May 27th, 1500 to 1700, at the Valley River Inn.**

Four Week City-Wide

PROTECT.SERVE.CARE.

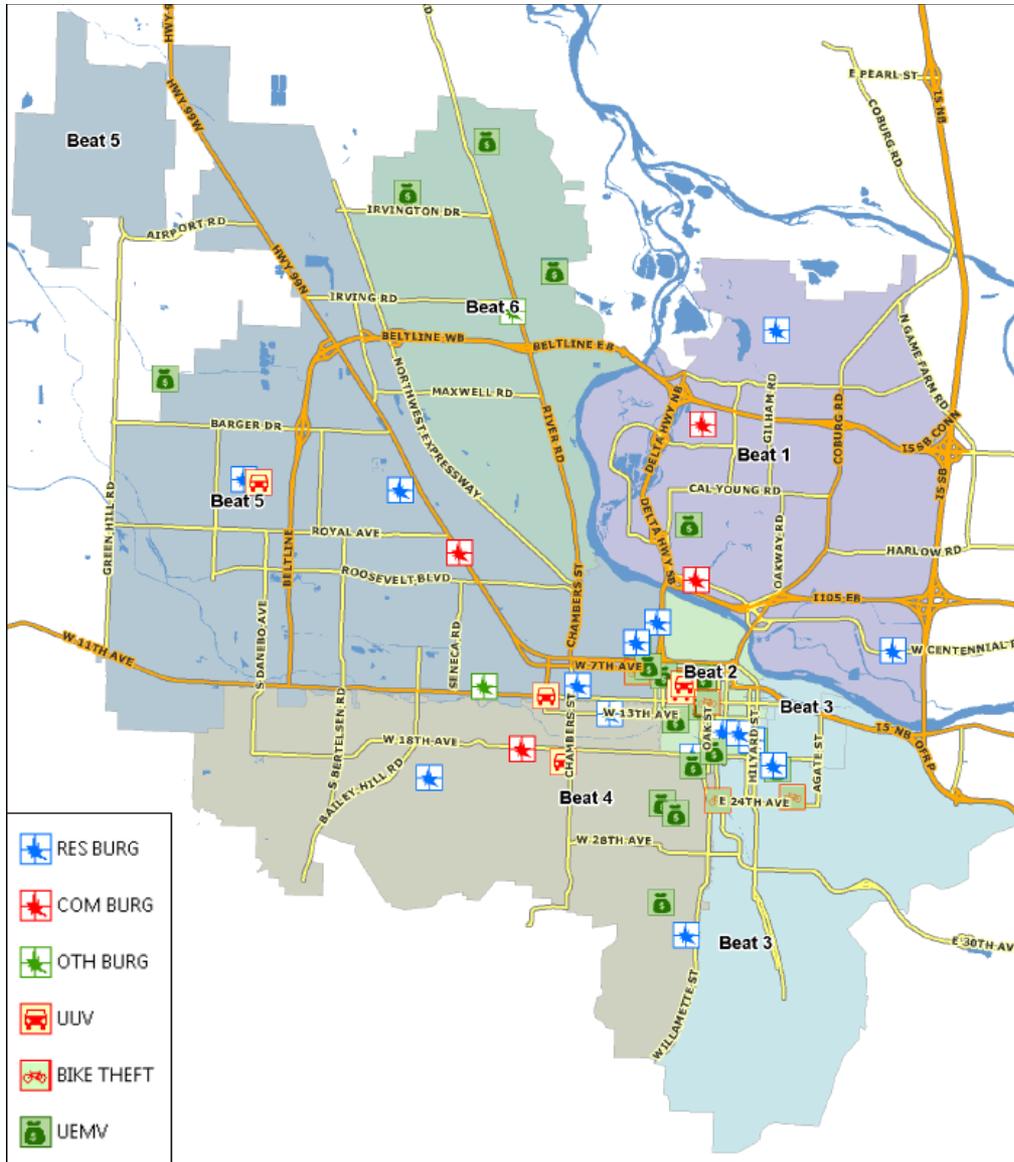


	YTD 2014	YTD 2015	Diff	%Change
RES BURG	248	200	-48	-19.4%
COM BURG	63	60	-3	-4.8%
OTH BURG	51	38	-13	-25.5%
UUV	213	137	-76	-35.7%
MV PARTS	30	11	-19	-63.3%
UEMV	648	442	-204	-31.6%
BIKE THEFT	167	239	72	43.1%
Total	1418	1127	-291	-20.5%



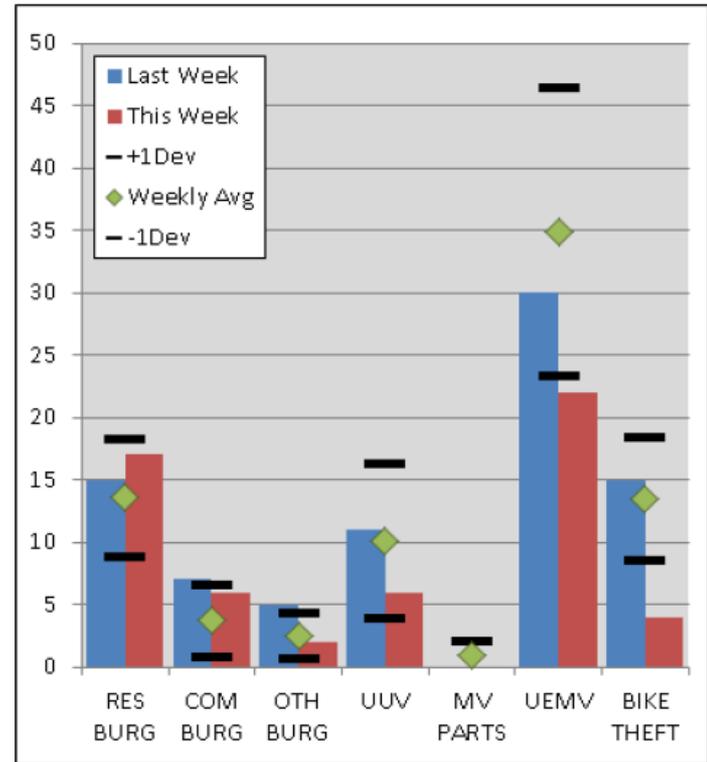
One Week City-Wide

PROTECT.SERVE.CARE.



	-1Dev	This Week	Weekly Avg	+1Dev
RES BURG	8.8	17	13.6	18.3
COM BURG	0.9	6	3.7	6.6
OTH BURG	0.6	2	2.5	4.4
UUV	4.0	6	10.1	16.2
MV PARTS	-0.2	0	0.9	2.1
UEMV	23.4	22	34.9	46.4
BIKE THEFT	8.6	4	13.5	18.4
Total	60.1	57	79.2	98.2

(As of 04/29 @ 0817hrs: 42 on the 9-Log; 14 UEMV's, 6 Bike Thefts)



Downtown CFS: March 2015

PROTECT.SERVE.CARE.

Downtown Area: W 5th Avenue to W 15th Avenue /
Lincoln Street to High Street



Top Dispatched*	Count	Top Self Initiated*	Count
CRIMINAL TRESPASS	83	PERSON STOP	266
ASSIST PUBLIC- POLICE	57	TRAFFIC STOP	151
DISORDERLY SUBJECT	46	FOLLOW UP	32
CHECK WELFARE	42	CRIMINAL TRESPASS	25
BEAT INFORMATION	38	WARRANT SERVICE	15
DISPUTE	38	FOOT PATROL	12
THEFT	30	DISORDERLY SUBJECT	11
THEFT FROM VEHICLE	29	ASSIST PUBLIC- POLICE	7
INTOXICATED SUBJECT	19	DISPUTE	7
THEFT OF BICYCLE	18	OPEN CONTAINER	6

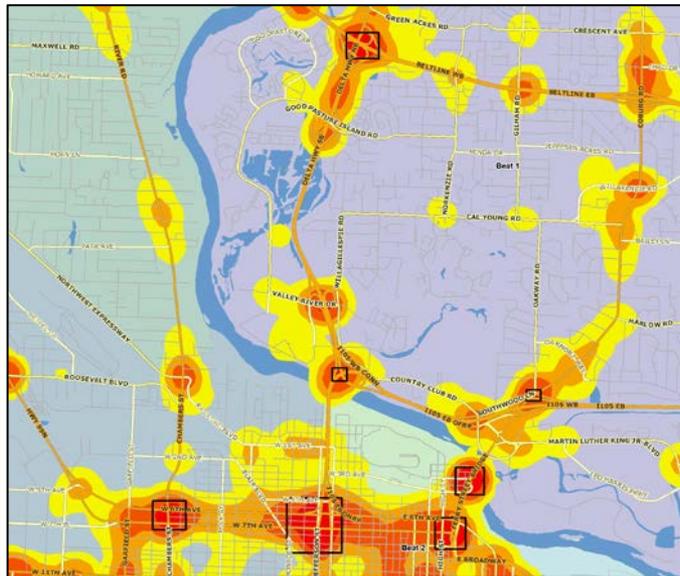
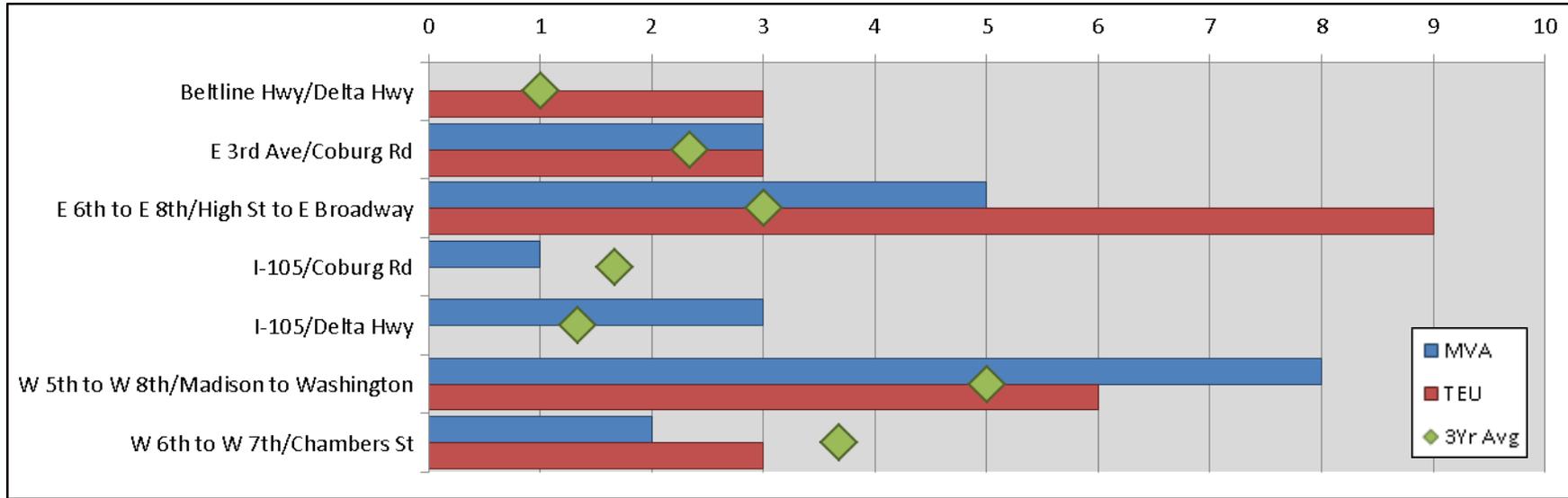
Top Dispatched/Self Initiated CFS represent 70% of Downtown activity.

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Sun	15	14	9	8	1	1	1	2	5	5	7	9	10	9	10	12	8	6	11	7	9	5	4	5
Mon	1	3	3	2	0	0	2	11	9	4	11	15	15	14	13	13	9	10	10	8	5	7	7	2
Tue	6	3	4	2	0	1	6	9	10	6	11	10	25	20	11	15	12	8	7	5	7	3	6	2
Wed	5	3	1	2	2	3	4	13	11	5	8	7	18	19	12	12	11	8	17	4	4	5	10	3
Thu	6	0	3	6	1	1	1	8	8	9	7	12	16	9	9	18	14	11	10	7	4	6	7	5
Fri	7	5	3	3	0	2	1	2	2	7	4	6	11	12	10	10	13	17	24	15	8	15	7	23
Sat	20	16	14	5	6	1	1	3	2	7	10	2	9	11	4	7	4	11	11	13	8	20	17	22

*Excludes Transports and Patrol Checks

MVA/TEU Activity: March 2015

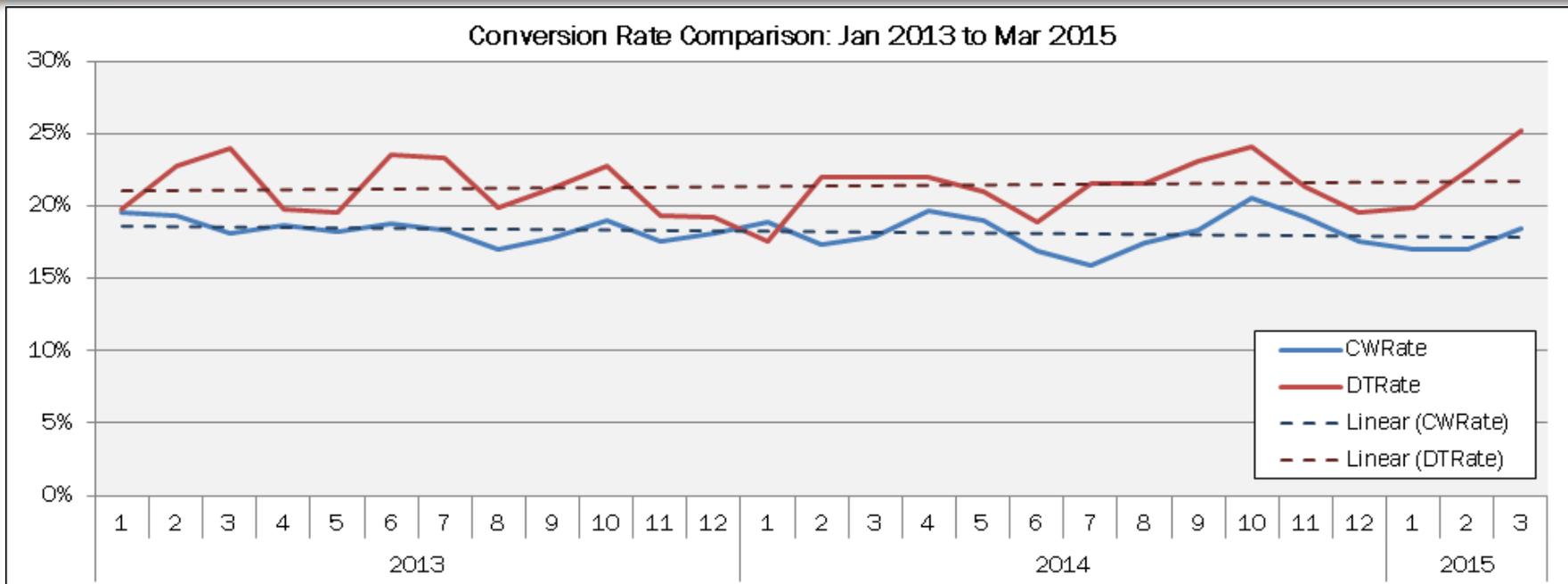
PROTECT.SERVE.CARE.



LOCATION	March			April	
	MVA	TEU	3Yr Avg	DIFF	3Yr Avg
Beltline Hwy/Delta Hwy	0	3	1.0	-1.0	1.3
E 3rd Ave/Coburg Rd	3	3	2.3	0.7	3.0
E 6th to E 8th/High St to E Broadway	5	9	3.0	2.0	1.0
I-105/Coburg Rd	1	0	1.7	-0.7	0.0
I-105/Delta Hwy	3	0	1.3	1.7	0.0
W 5th to W 8th/Madison to Washington	8	6	5.0	3.0	3.3
W 6th to W 7th/Chambers St	2	3	3.7	-1.7	1.3
Total	22	24	18.0	4.0	10.0

Case Conversion: 01/2013 - 03/2015

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City-Wide	2014-13	2015-14	2015-13
Month	Conv Diff	Conv Diff	Conv Diff
1	-0.60%	-1.90%	-2.50%
2	-1.93%	-0.41%	-2.35%
3	-0.21%	0.58%	0.37%
4	1.03%		
5	0.73%		
6	-1.82%		
7	-2.47%		
8	0.43%		
9	0.50%		
10	1.58%		
11	1.68%		
12	-0.55%		

Downtown	2014-13	2015-14	2015-13
Month	Conv Diff	Conv Diff	Conv Diff
1	-2.16%	2.28%	0.12%
2	-0.82%	0.51%	-0.31%
3	-2.04%	3.22%	1.17%
4	2.25%		
5	1.41%		
6	-4.71%		
7	-1.80%		
8	1.69%		
9	1.91%		
10	1.27%		
11	2.05%		
12	0.25%		

Highlights:

- City wide we are up in case conversion compared to both 2013 & 2014
- Downtown we are up compared to 2014 but were down in February compared to 2013

Top Dispatched CFS: Services

*CAD Activity: Rolling 12 Months

341 E 12TH AVE: (WHITE BIRD CLINIC)	Count
TRANSPORT	490
ASSIST PUBLIC- POLICE	275
CRIMINAL TRESPASS	105
DISORDERLY SUBJECT	39
CHECK WELFARE	28
ALL OTHER	141
Total	1078

1542 W 1ST AVE: (EUGENE MISSION)	Count
TRANSPORT	104
ASSIST PUBLIC- POLICE	72
CHECK WELFARE	12
CRIMINAL TRESPASS	12
THEFT	11
ALL OTHER	59
Total	270

1255 HILYARD ST: (SACRED HEART UNIVERSITY DISTRI)	Count
TRANSPORT	764
ASSIST PUBLIC- POLICE	67
DISORDERLY SUBJECT	39
FOLLOW UP	30
CRIMINAL TRESPASS	21
ALL OTHER	143
Total	1064

1420 W 1ST AVE: (EUGENE MISSION WOMEN)	Count
ASSIST PUBLIC- POLICE	97
TRANSPORT	80
DISORDERLY SUBJECT	11
CHECK WELFARE	8
CRIMINAL TRESPASS	7
ALL OTHER	28
Total	231

101 W 5TH AVE: (LCAC)	Count
ASSIST PUBLIC- POLICE	373
TRANSPORT	50
LOCATION WANTED SUBJECT	27
FOLLOW UP	8
WARRANT SERVICE	7
ALL OTHER	63
Total	528

450 HWY 99N: (EUGENE SERVICE STATION)	Count
TRANSPORT	96
ASSIST PUBLIC- POLICE	14
CRIMINAL TRESPASS	13
THEFT	12
CHECK WELFARE	8
ALL OTHER	54
Total	197

605 W 4TH AVE: (BUCKLEY DETOX)	Count
TRANSPORT	126
ASSIST PUBLIC- POLICE	78
CRIMINAL TRESPASS	33
DISORDERLY SUBJECT	25
CHECK WELFARE	11
ALL OTHER	55
Total	328

10002-BLK COBURG RD: (FERRY ST BRIDGE)	Count
TRAFFIC HAZARD	33
DISABLED VEHICLE	19
MOTOR VEH ACC NO INJURY	18
MOTOR VEH ACC UNKNOWN INJ	16
HIT AND RUN	10
ALL OTHER	64
Total	160

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Top Dispatched CFS: Crimes

*CAD Activity: Rolling 12 Months

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4550 W 11TH AVE: (WALMART)	Count
SHOPLIFT 3050 PROGRAM	106
THEFT	100
CRIMINAL TRESPASS	26
DISPUTE	23
HIT AND RUN	20
ALL OTHER	228
Total	503

3333 W 11TH AVE: (FRED MEYER)	Count
THEFT	34
SHOPLIFT 3050 PROGRAM	33
CRIMINAL TRESPASS	17
BEAT INFORMATION	13
HIT AND RUN	11
ALL OTHER	143
Total	251

100 W 10TH AVE: (EUGENE LIBRARY)	Count
CRIMINAL TRESPASS	50
THEFT	33
TRANSPORT	26
ASSIST PUBLIC- POLICE	16
DISORDERLY SUBJECT	13
ALL OTHER	138
Total	276

293 VALLEY RIVER CENTER: (VALLEY RIVER CENTER)	Count
HIT AND RUN	36
THEFT	22
ATTEMPT TO LOCATE	10
BEAT INFORMATION	10
THEFT FROM VEHICLE	10
ALL OTHER	159
Total	247

145 E 18TH AVE: (SAFEWAY)	Count
THEFT	60
SHOPLIFT 3050 PROGRAM	47
SHOPLIFT	18
CRIMINAL TRESPASS	16
BEAT INFORMATION	11
ALL OTHER	108
Total	260

1080 WILLAMETTE ST: (LTD EUGENE STATION)	Count
CRIMINAL TRESPASS	22
ASSIST PUBLIC- POLICE	20
THEFT	20
DISORDERLY SUBJECT	15
DISPUTE	15
ALL OTHER	122
Total	214

240 WASHINGTON ST: (WJ SKATEPARK)	Count
BEAT INFORMATION	31
DISPUTE	22
DISORDERLY SUBJECT	19
THEFT	17
DRUG INFO	16
ALL OTHER	153
Total	258

90 COMMONS DR: (STADIUM PARK APARTMENTS)	Count
LOUD NOISE	23
THEFT FROM VEHICLE	23
BEAT INFORMATION	21
DISPUTE	17
BURGLARY	15
ALL OTHER	115
Total	214



The End

America's Safest City

The Most Professional Agency



CITY OF EUGENE

POLICE COMMISSION

FY 2016 – FY 2017 WORK PLAN And FY 2014 & FY 2015 ANNUAL REPORTS

Police Commission Members

Bob Walker, Chair
Tamara Miller, Vice Chair
Mike Clark, City Councilor
Jim Garner
Edward Goehring
Jesse Lohrke

James Manning
George Rode
Claire Syrett, City Councilor
Joe Tyndall
Raquel Hecht
Bill Whalen

www.eugene-or.gov/policecommission

For more information on the Eugene Police Commission, please contact:
Jeremy Cleversey, Police Commission Analyst
Phone: (541) 682-5852
jeremy.d.cleversey@ci.eugene.or.us

Background

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

- Recommendations on several significant policies including Mental Health Crisis Response and Communication with People with Disabilities (FY 2009)
- Development of a Public Outreach Committee to strengthen the relationship between the public and the Police Department (FY 2009)
- Developed recommendations on all force-related policies including the Taser policy (FY 2011)
- Reviewed and made recommendations on the downtown exclusion zone ordinance (FY 2011)
- Worked with community around closure of Monroe Street Public Safety Station (FY 2012)
- Conducted community survey to determine public perception of Eugene Police Department (FY 2012)
- Reviewed and made recommendations on police policies related to search and seizure, use of canine, vehicle pursuits and holding facilities (FY 2012)
- Developed Outreach Toolkit to document efforts taken with closure of Monroe Street Station, and to provide a template to facilitate community outreach on subsequent projects (FY 2012)
- Conducted an anonymous survey of EPD employees to ascertain the Department's understanding of the Police Commission and its work (FY 2013)
- Held State of Public Safety Forum for the community (FY 2013)
- Initiated the Bias-based policing data collection project in (FY 2014)
- Reviewed and made recommendation on the Professional Police Contacts policy to govern the new Stops Data Collection (FY 2014) which the Law Enforcement Contacts and Data Review Committee (LECC) claims is the most comprehensive stop system for the rest of the state to follow (FY 2015)
- Reviewed and made recommendation for a downtown Closed Circuit Television (CCTV) pilot project and policy (FY 2015)
- Responded to public concern and formed a policy for Citizen's Filming Police (FY 2015)

The FY 2014-FY 2015 work plan identified several shifts in focus and practice for the Police Commission. One of these shifts was to focus more on the issues related to the Police Department that are of the greatest community concern. At its retreat in May 2013, a list of issues was raised that are of great community concern. To allow for the most meaningful issues to be addressed by the Commission, the Commission has periodically reviewed its upcoming work and selected items from its list of community issues to address. This has allowed the Commission to have more in-depth conversations about topics of interest to and with the community. This list is included on the next page and is titled: FY 2014-FY 2015 Work Plan Identified Community Topics.

The other change made by the Commission was to eliminate two standing committees. This was done to address staffing capacity issues, and to allow substantive policy discussions that had previously occurred in a committee of five. Now the full commission and community members are included in the discussion.

Police Commission Mission Statement

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

Police Commission Goals

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

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

Moving Forward with the Police Commission Work Plan

Annual to Biannual Work Plan

The end of FY 2015 marks the first successful completion of a biannual work plan for the Police Commission. After two successive Police Commission annual retreats in FY2012 and FY2013, the commission discussed and ultimately decided to develop a biannual work plan, covering the next two fiscal years. A two year plan was submitted to the City Council for review, comment and approval. Consistent with Ordinance 20398, the Police Commission will continue to submit to the City Council an annual report, drawn from the biannual report created every two years.

Work in Progress

In FY 2015, three topics were identified that could not be completed within the current fiscal year:

- 1) Intimidation in the Second Degree: Forming a joint resolution with the Human Rights Commission (HRC). The Commission Chair brought back an invitation from the HRC Chair requesting a joint resolution between the two commissions to endorse code revisions before City Council. Not wanting to deviate valuable time resources away from successfully completing the work plan already brought before Council, the Commission decided that this topic would be tabled and brought back for consideration in the near future.
- 2) Closed Circuit Television (CCTV) Proposal: The Police Commission reviewed a proposal to install cameras for an 18 month temporary trial in the downtown area. Deliberations continued for over six months including the development of a policy to govern the implementation of the trial. Once and if the project begins, the downtown lieutenant will be responsible for reporting the impact of the CCTV system at 6 months, 12 months and 18 months after implementation. After 18 months, the results of the program will be presented to the Police Commission for discussion before it is determined if the project should be continued, discontinued or expanded.
- 3) Stops Data Collection: EPD is implementing a new records software that contains the ability to collect more demographic information about traffic stops. An advisory committee has been established to advise the department on how the software should be implemented and how reporting should occur. The commission received numerous reports from staff as well as the chair of the committee. The data collection is anticipated to start in FY 2016.

Community Issues to be Considered

Below is a preliminary list of issues to be considered by the Police Commission for further work. Ten Commissioners identified twenty-three issues and each member had ten votes. After all 100 votes were cast; the issues were prioritized by count. General consensus was that the agenda's will be worked on in order of weight, however issue three "Everyday concerns regarding police" and issue five "Emerging issues" provided plenty of flexibility for the commission to respond to emerging issues within the community.

The Commission intends further details will be developed as the items are scheduled and a more thorough work plan is developed.

Order	FY 2016 & 2017 Commission Community Issues and Priorities	Weighted
Top 10		
1	Mental Health Crisis (policy 418)	12
2	Review and/or discussion of President's committee on policing	12
3	Everyday concerns regarding police (public outreach)	7
4	Outreach for target groups for modified police academy (civilian)	7
5	Emerging issues (police community)	6
6	Police Uniform and Appearance (policies 1001.1 & 1001.2)	6
7	Discussion on social legitimacy	6
8	Civil forfeiture (policy 606)	6
9	Medical aid to suspects policy	5
10	Civil disturbances (not domestic dispute/ unrest)	5
Second 10		
11	Handcuffing & Control Holds (policy 308)	4
12	Citizens filming crime/crime scene (and seizure of recording device)	4
13	Annual healthy & wellbeing assessment (mental & physical)	4
14	Ticketing for no D.L./insurance	3
15	Recruiting/outreach to focus on diversity in Police Commission vacancies	3
16	Presentation on how sworn personnel are evaluated and promoted	3
17	Body worn video recording review	2
18	Fees for release of public record	2
19	Medical marijuana (new for recreational, policy 452)	2
20	Communication review (policy 370)	1
Parking Lot		
21	Homelessness	0
22	Outside employment (policy 201.1)	0
23	Parade permit process/ fees	0

Quarterly, the Police Commission will discuss these issues and any emerging issues and determine which issue will be addressed next, what the specific goal for the Commission's involvement will be, and a work plan to accomplish the goals for each work item.

Attached to this work plan is a report of the Commission's activities and achievements. The Commission met the goal of working on each of the identified community topics for FY 2014 and FY 2015.

Work Completed in FY 2014

The Police Commission completed review of the policies related to Civil Disputes, Videotaping Events, Bias-Free Policing. The Commission began a review of policies related to emerging technologies, such as body cameras, closed circuit video recording, and recognition software. This review continued into FY 2015. The Bias-Free Police Policy had been anticipated by the community and Commission for a long time, and the Commission's discussion and community input were robust and lengthy, covering a seven month period.

In addition to these EPD policy discussions, the Commission conducted the following work in FY 2014.

Designed, conducted and reviewed an anonymous employee survey of EPD employees: The intent of this project was to determine the employees' understanding and support of the work of the Police Commission.

Received update and held discussion on EPD Budget: The EPD Finance Manager provided an overview of the Department's budget. The Commission requested that more detailed information be brought back and discussed prior to the conclusion of budget discussions.

Held a joint meeting with the Civilian Review Board: At this meeting, the CRB provided an overview of how a case is reviewed, what is considered, and the result of their recommendations. This meeting provided the Police Commission a useful understanding of the work undertaken by the CRB and the places where the work of the two bodies is complementary.

Reviewed and received updates on EPD's advisory committee on Stop Data Collection: EPD is implementing new records software that contains the ability to collect more demographic information about traffic stops. An advisory committee has been established to advise the Department on how the software should be implemented and how reporting should occur. The Commission received numerous reports from staff as well as the Chair of that committee.

Community issue: homelessness and policing: This was the first community issue addressed by the Commission. The process began with a thoughtful discussion about the issues, and what was desired as a result. The Commission held a panel which included a person experiencing homelessness, police officer, business owner, resident, and a pastor. Each panelist shared their experiences of homelessness and the police. After the presentations, the Commissioners were able to ask questions of the panelists. Commissioners expressed appreciation for a deeper understanding of the complex issues surrounding homelessness and policing, and offered to assist the City in further policy or outreach work related to this issue. During these discussions, the Commission also reviewed the following laws and policies affecting people experiencing homelessness, including public consumption of alcohol, public urination/defecation, trespassing, prohibited camping, downtown activity zone, right angle street crossing, park rules.

Community issue: bias based policing: In addition to reviewing the proposed EPD policy related to Bias Free Policing, the Commission engaged in a multi-faceted community discussion about bias-based policing. After a discussion about the goals and desired outcomes of this conversation, the Commission held two significant events. The first was a community panel, including representatives from the advocacy community, people personally impacted by police stops, a national expert on racial profiling, an immigration attorney, the chair of the Stops Data Committee, and a police officer. After presentations from each panelist, the Commissioners were able to ask questions. This panel took place at a regular Police Commission meeting, so public comments about the panel were received at the end of the meeting. After this community panel, the Commission also hosted a public forum for members of the public to provide comments directly to the Police Commission.

Work Completed in FY 2015

The Police Commission will have met twelve times in FY 2015 in addition to commission work and outreach through public forums, attending webinars, special events, and appointed committees. They have discussed more than seventeen topics.

As FY 2015 began, the Commission developed a scope of work for a discussion about constitutional privacy including the use of drones and automatic license readers. The commission quickly progressed to suggest recommendations for an Emerging Technology Policy. A policy that could not have been better timed... After its completion the Commission put it to work and recommended that this new tool be used in the development of a Closed Circuit Television (CCTV) Proposal. The Commission intends to follow up on EPD's progress with the CCTV in FY 2016/ FY 2017 Work Plan.

CCTV would not be the last emerging technology issue of the year and before CCTV deliberations ceased, the Commission requested EPD Staff return to them with policy examples for guiding officer interactions with those that film them. Deliberations for this topic have been fruitful resulting in the formation of the Recording Police Activities by the Community policy that is scheduled for a fifth discussion in May.

Other policies that the Police Commission reviewed include the Vehicle Impound and Mental Health Crisis policies.

In addition to these EPD policy discussions, the Commission conducted the following work in FY 2014.

Received update and held discussion on EPD Budget: The EPD Finance Manager provided an overview of the Department's budget. Focused on the community issue of 'Strategic Public Safety Funding' the Commission requested a follow-up on the breakdown of court overtime. The Asst. Chief presented that breakdown and both citizens and commissioners remarked at the great improvements the Department had made since the last presentation.

Received update from EPD's advisory committee Chair on Stop Data Collection: EPD expects to launch data collection after January 2016. In the meantime the Department will be developing the pilot project to test and evaluate the initiative. The Law Enforcement Contacts and Data Review Committee (LECC) states it is the most comprehensive stop system for the rest of the state to follow.

Forming a Joint Resolution with the Human Rights Commission (HRC): The Commission Chair brought back an invitation from the HRC Chair requesting a joint resolution between the two commissions to endorse code revisions before City Council regarding Intimidation in the Second Degree. The Police Commission agreed to consider this proposal for the FY 2016/ FY 2017 Work Plan.

Deadly Use of Force Training: In response to Commission inquiries, EPD offered the Police Commission an opportunity to go behind the scenes and experience the training simulator that officer's use when training on when to Use Deadly Force. A documentary on the Interagency Deadly use of Force Investigations Team was returned for the whole commission to review. Commissioners also reviewed the carotid restraint policy and Handcuffing, Control Holds, & Impact Weapons.

Public Outreach on Recording Police Activities by the Community: The Police Commission had decided to pursue public outreach regarding the development of this policy when Commissioner Tyndall discovered that the Civil Liberties Defense Center (CLDC) was already initiating a public Forum. Four of the commissioners responded to the CLDC's call and joined the community to hear their input. The Commissioners offered up this feedback in their future deliberations.



April 21, 2014

TO: Mayor Kitty Piercy
City of Eugene
125 East 8th Avenue, 2nd Floor
Eugene, OR 97401

RE: Four Eugene Police Commission Vacancies

Dear Mayor Piercy:

The Eugene Police Commission has four open seats as of July 1, 2015. The Police Commission appointed committee members: Ms. Tamara Miller (Committee Chair), Mr. George Rode, and Mr. Joe Tyndall to interview the applicants. Please see the summary of the applicant interview scoring below.

Applicant	Average Score	Rated "Highly Recommend"	Rated "Recommend"
Robert E. Walker, Police Commission Chair	Reapplying Commissioners were not interviewed:		
Jesse C. Lohrke, Police Commissioner	Please see below statement*		
Scott M. Nowicki	39.3	2	
Terry L. Robertson	38.0	2	
John Stapleton	36.7	1	1
Marshall L. Wilde	35.3	2	
Evan L. Rees	28.7		2
John A. Shadell**	22.7		2
Michelle D. Price**	Not Interviewed		

*The three Committee members agree: Commission Chair Robert Walker and Commissioner Jesse Lohrke have served honorably and should be considered as strong candidates for reappointment.

**Disqualified due to residence outside of UGB as per City Code 2.013 Subsection 6.

Each candidate was asked a series of questions, and rated on a scale of one (low) to ten (high). Those individual scores were averaged and provided in the above table. Additionally, the commissioners were asked to assess each candidate on whether the candidate was "recommended" or "highly recommended". That information is also available in the attached table.

The Police Commission is requesting that you review this information and conduct interviews with any of the applicants you see fit. We would appreciate your recommendation to the City Council for the applicant of your selection to fill this vacancy on the Eugene Police Commission.

Thank you in advance for your assistance with this process. Please let us know if we can provide any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Tamara E. Miller".

Tamara E. Miller
Eugene Police Commission Vice Chair



Eugene Human Rights Commission

March 25, 2015

Bob Walker, Chair
City of Eugene Police Commission

Dear Bob,

I am sorry I could not attend the February 9 meeting between you and representatives of the Human Rights Commission, Ken Neubeck and Edward Goehring, HRC's liaison to your Commission. This letter is a follow up to that meeting.

In accordance with its annual Work Plan, the HRC has been discussing the need to amend language in Section 4.731 of the City Code which deals with Intimidation in the Second Degree. The HRC would like to see the City Council make two changes in that Section.

First, the HRC would like to see the harmonization of the definition of "sexual orientation" in the intimidation section of the code with the City Code's Human Rights Section 4.615, and with Oregon state law, both of which include protection for transgender individuals. We have had two incidents reported to the Human Rights and Neighborhood Involvement Office this year which would have potentially been impacted by this revision and been elevated to a crime.

Second, the HRC would like to see actual or perceived homelessness or housing status added to those protected classes named in City Code Section 4.731. This year two incidents were reported to the Eugene Police Department and two others were reported only to the Human Rights and Neighborhood Involvement Office. The HRC acknowledges the particular vulnerability of our unhoused neighbors. It is unconscionable that anyone be targeted for criminal acts based on who they are or traits they cannot easily changed. We believe the unhoused fall into this category and should be afforded the opportunity to be protected by additional criminal charges if they are targeted *because* of their homelessness.

The HRC trusts that the Police Commission shares our concern that people who are transgender be protected in Section 4.731 of the City Code, consistent with the Code's Human Rights section and state law. We trust as well that the Police Commission understands the importance of adding protections for people who are homeless and who are among those persons most vulnerable to criminal victimization in the community.

Providing people who are transgender, as well as those who are homeless, protected class status shows the City's commitment to the basic human rights to life, health, freedom from discrimination, and personal security of these vulnerable members of our community.

The HRC invites the Police Commission to join with us in endorsing these Code revisions and requesting they be considered by the City Council. It would be excellent if you could put the topic of endorsement in your upcoming Work Plan and then put it on a future meeting agenda for discussion and a vote. Hopefully we can jointly submit the request for Code revision to City Council early in the new fiscal year.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Andrew Thomson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Andrew Thomson, Chair
City of Eugene Human Rights Commission