



Tim Lewis videotapes an interaction between a Eugene police officer and demonstrators downtown in this EW file photo.

Community Policing

Is there public recourse against questionable police conduct? ★ By Bobbie Willis

When community concern rises over the conduct of local law enforcement, as it has in Eugene the last few years, it's time to scrutinize more closely the resources available for citizens to express that concern and to search for accountability and resolution.

One option is through the Eugene Police Commission, a 12-member citizen body created by City Ordinance 20136 in December 1998, spurred on by (albeit a year and a half after) EPD's assault on demonstrators in the June 1997 downtown tree-sitting protest.

According to its literature, the commission's mission is "to recommend to the City Council, the city manager, the Police Department, and the people, the resources, preferred policing alternatives, policies and citizens' responsibilities needed to achieve a safe community."

However, in keeping with the city ordinance, the commission doesn't undertake the review of allegations and inquiries related to

the actions of individual police officers. Thus, the commission provides no real, direct recourse in instances such as alleged sexual coercion cases against former officers Juan Lara and Roger Magaña. Commission member Floyd Prozanski says, "Those allegations have not entered into any substantive discussions concerning current policies. The commission did receive a general report concerning the two situations, but it was only informational. I acknowledged the department's thorough investigation and its decisive handling of both cases." Prozanski also says the cases have not affected the commission's recommended policies. "The commission is spending time looking at the department's policies regarding conduct to make sure that community standards are covered in the policies."

Commission member Bonny Bettman adds, "The EPD has a Code of Conduct Policy [that] is being reviewed this year.

There are performance standards that are a subset of [this policy] — the PC is reviewing them, too ... These policies cover standards of conduct and behavior. One of [these] cases ... was a conviction for an abuse of power for the purpose of sexual harassment, exploitation and victimization. These crimes are even more devastating because the victims are people the officer was sworn and entrusted to protect. That is severe criminal behavior and goes beyond anything the policies address."

This speaks to the limitations on the Police Commission to effect direct change within the system. Other limitations result from commission members being nominated by the mayor and appointed by the City Council — chances of anyone too far outside the fray gaining a nod from Mayor Torrey are slim. The obvious glitch is the commission advising EPD and other related city officials consists of members nominated and approved by those city officials.

These limitations have real repercussions in the community. Majeska Seese-Green, president of the Whiteaker Community Council (WCC) and acting chair of the WCC's Police Issues Committee, has become increasingly involved with policing issues in Eugene — Whiteaker has been caught in some of the higher profile policing situations, such as the October 2002 early morning SWAT raid on a residential dwelling. Regarding the commission's work following the SWAT raid, she says, "I've learned the Police Commission has a very constricted purpose. I'm disappointed when it narrows the scope of its work even further, as it did on the SWAT issue. (Granted, their committee has done major hard work on that one — but with a very narrow focus.)"

Outside the mainstream, there are more independent ways to take action: CopWatch is a community organization that encourages people to watch the cops rather than fear one another. CopWatch utilizes video and Internet technology to document and distribute incidents of police misconduct.

Tim Lewis of Eugene CopWatch gets straight to the point on forums for public concern: "It's all bullshit — the Police Commission, the Human Rights Commission — it's all put up for the public to be stuck in process. ... The ideal situation is for people to get to know their neighbors

and to rely on each other instead of dialing 911 any time they see a freak on the street." Lewis emphasizes that the CopWatch website (www.eugene-copwatch.org) has all the tools — fliers, contact information, news stories — people need to begin monitoring and documenting police conduct themselves. "It's finding your own courage, about standing on the street and watching when a cop pulls someone over and making sure that everything goes OK."

Is there a chance Eugene can create an independent police review committee to evaluate police conduct and to operate separately from the city infrastructure? Bettman says, "There are only a few ways this can happen, and they are all highly politicized. At any time citizens can initiate a ballot measure. ... the City Council could either put it on the ballot or move to study various models adopted by other communities and consider implementing them here. Currently, the political composition of the City Council almost certainly precludes the second two options. That leaves a citizen ballot initiative. If the community feels strongly that an external review board or process is needed, they have the power to create it, through the initiative process." WCC's Seese-Green adds, "There's no chance — with the current City Council and mayor — that the city will create an independent review commission, unless the new chief takes the lead in requesting one. That's unlikely unless the public demands one. Long term, another route is a ballot measure."

It should be noted that a few sources for this story were reluctant to give specific input on how to express concerns over police conduct. But as Prozanski says, "Citizens must be willing to bring policy issues ... to the attention of the Police Commission. ... if they believe that a specific officer has violated department policy, broken a law or acted unprofessionally, they need to bring these matters to the attention of the department. ... Citizen involvement is necessary to ensure that the system works."

Incidentally, the "Commendations & Complaints" page on the EPD website (www.ci.eugene.or.us/police/Int_Affairs/aic.htm) is another way to document police conduct, though some who have used this system have received only tepid EPD responses at best. **CW**

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