

Smoke and Tentacles

Examining the EPD's internal quandary

The controversy over the police auditor and the Civilian Review Board (CRB) has come to involve so many persons of authority and consequence, including the voters of Eugene, in viewpoints both positive and negative, that I feel compelled to weigh in. I submit that the most important issue on the November ballot for the well-being of Eugene was the passage of Measure 20-146.

Every police department, everywhere in the world, has its own unique departmental personality, developed gradually from its inception through to the present. This personality does not evolve from the pious platitudes of founding ordinances or mission statements but rather from the real-life personalities of the men who were there originally, and later from the men and women of the rank and file who followed. The common thread through all is a department's informal leadership — those who absorb the attitudes of their predecessors, modify them with their own attitudes and experiences, and then are strong enough to pass them on to the succeeding generation of officers.

Chiefs and captains, lieutenants and sergeants promoted from the ranks will usually conform to the mission statement and can have an influence. But unless they are stronger than the informal leadership, all they can do is legislate the actions of the rank and file when the rank and file is in their direct sight. Regardless of all the sensitivity training a troubled department can provide, the rank and file will not change the way they think and feel unless the informal leadership buys into it. From all indications, it appears that neither the formal nor informal leaderships of the Eugene Police Department bought into the establishment of a Police auditor and a CRB.

Police departments very basically fall into three categories. One is the highly motivated, service-oriented agency, where the needs of the community are first and foremost. The second is the occupation-type force with an "us against them" attitude toward the community and which does as little as possible while making every excuse as to why it can't provide better service. The third is a combination of the first two, where adequate service is provided albeit reluctantly, and there is a wary but accepted accommodation between the community and their police. Unfortunately, I see the Eugene Police Department (EPD) as falling into the second category. And under Chief Lehner it went deeper so by the day.

Lehner is gone now and, in my opinion, not a moment too soon. He came here at the tail end of the Magaña/Lara mess. He was saddled with an auditor and a Civilian Review Board, which he had previously opposed in Tucson. It is understandable that he may have felt this was an intrusion on his managerial prerogatives or even his integrity. However, it was the will of the people and the law.

Lehner's response was passive resistance and spite. He resisted all pleas for more patrol downtown with the usual "lack of manpower" excuse. Betty Snowden and other downtown merchants made a widely publicized demand at a City Council meeting for help to control the downtown mischief-makers. Just a few days later Lehner sent an eight-man traffic squad to the downtown area on the pretext of increased traffic violations. Sixty-seven people carrying on their legitimate downtown business were ticketed by the squad with mostly petty but expensive traffic violations. Not one of those 67 had Kool Aid hair or facial piercings or Goth clothing or the accoutrements of the wandering homeless. That the squad was so zealous reflects the agreement of the informal leadership with Lehner's thinking. Then, as recent events have shown, the passive resistance turned into outright aggression and meanness, first by Lehner and then by the police union.

The prime argument against civilian review is that police are unique and cannot be understood by those who are without police training and experience. Therefore, according to this thinking, law enforcement should police itself, as do doctors and lawyers who also have unique training and experiences. Sounds good in theory but we all know how that sometimes doesn't work in those professions either. Doctors and lawyers have a hard time abusing the ethics of their profession without leaving a trail of some kind that can usually be followed to an actionable result. Seldom so in law enforcement.

The "police power" is a function of the state. It derives in antiquity from the very essence of the human social contract. In its utmost simplicity it has been defined as the maintenance of order. Anything that is out of order usually gets a look-see by a "police officer."

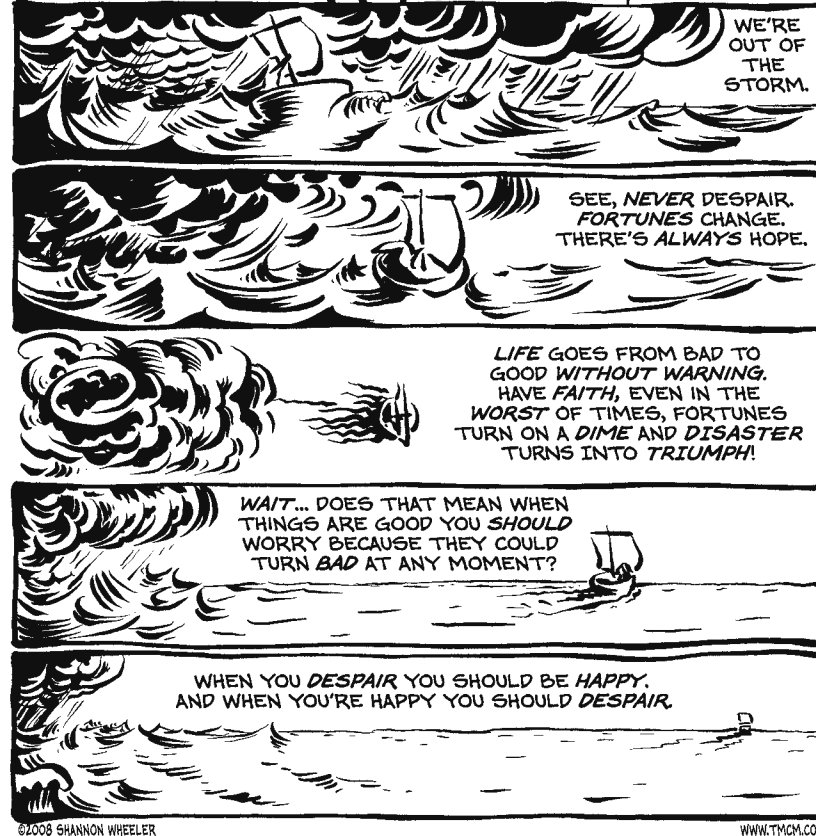
Under our form of government, the governor is the chief police officer of the state. Since he can't be everywhere, his police power is delegated to counties and municipalities, through their charters, for the efficiency of its control. Police officers are hired by these chartered subdivisions and sworn to their duties there, but they are really officers of the state.

No one, including the governor, can legally order a police officer *not* to make



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How to Be Happy (CUTIE ISLAND) 17 OF 8 by Shannon Wheeler



LETTERS TO THE EDITOR

UNIVERSITY OF PHIL

I was a student-athlete at a Division I school that finished well ahead of Oregon in the U.S. Sports Directors Cup last year. While my alma mater, subsequent to academics, made a commitment to national success in all sports a few years ago, it was solely the mission of the athletic department. It would appear that a similar athletic mission is being attempted at Oregon, but privately championed by Phil Knight.

With his connections and the power of his "gifts," Knight has successfully crippled the integrity of the school. In this day and age, collegiate athletics is a business, but why is it so blatant at UO? It reminds me of the outgoing administration and its relationship with Big Oil, which seems like an oxymoron given UO's liberal undertones. It is the responsibility of the administrators to make decisions with the school and its students first, but obviously the athletic department has become Phil's minion. From the re-instatement of the baseball program (after OSU's success), the hiring of Lananna (congrats!), the gaudy football jerseys and marketing campaign (black?) to the new basketball arena, it all reeks of Phil. I am beginning to wonder if UO's acquisition of the White Stag building in Portland wasn't a brainchild of Phil's.

While I support alums giving back to their alma mater, I am disgusted with the addiction he has caused UO for his dollars. He clearly has a vested interest and personal agenda and shame on the school for compromising its standards.

Ethan McCoy
Eugene

STUDLY BIKER

Having purchased steel-studded snow tires for my Fisher mountain bike in 1992 — that have never had a single puncture, not one, in 16 years! — I have always been comfortable biking around Eugene in adverse weather, albeit a bit slower than usual. The motorists' behavior during

these recent storms has me surprised and delighted: Everybody has been so courteous, attentive and thoughtful when interfacing with this ol' biking fool!

I was riding up 29th Avenue this evening (12/16) in the right tire track of the lane as the bike lane was pretty mucked up with ice, snow, sand and leaves. I was followed the whole way up the hill by a motorist at a safe distance. When he passed me (slowly and leaving me a wide berth) he smiled and waved! My heart was warmed by this behavior. It's not how things usually are on the roads for this die-hard cyclist.

I hope it snows more! It's nice to feel considered by my fellow travelers!

Ken Silverman
Eugene

A TREASURE

Mary O'Brien's column, "Natural Resistance," has always been one of the best features of *EW*, and her most recent piece, "Songs of Childhood," reporting on her grandson Linus in the Dec. 11 issue, was a treasure.

Like Linus, her report was "more than a little bit wonderful." No gushing, no perseverating, as might be expected from a doting grandmother, but rather a portrait that conveyed Linus in all his wondrous and amusing glory.

Thank you, Mary O'Brien. And thanks, editors, for including the photo of Linus with banjo — a surefire lure for the browsing reader.

Tim and Judy Volem
Eugene

GUN CONTROL IDEA

Here is an idea for a compromise in the gun regulation debate. Legislate the Barney Fife Law: You can own as many guns as you want, but you only get one bullet.

Vince Loving
Eugene

LONE SHOEMAN

Online bloggers report that the Cleveland