

# PUBLIC SAFETY COMMITTEE MEETING

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July 27, 2020

Councilor Primmer called the meeting to order at 5:15PM. Present were Councilor Myers and Hardin (arrived at 5:25pm). City Manager Byron Smith, Chief Edmiston, Captains Travis Eynon and Scott Clark, Sergeants Chris Martin and Bill Osborne, Corporals Leonard Stokoe, Riley Studebaker and Gene Wilson, Patrol Officers Mario Cobian, Jarrod Flateau and Shawnee Rodriguez, Lieutenant Randy Studebaker, Communications Manager Amanda Hartsteen, Records Specialist Shannon Robinson, and City Recorder Lilly Alarcon-Strong.

## **Introductions and Personnel Updates**

Chief Edmiston introduced members of the Hermiston Police Department (HPD) who were in the audience, with a special emphasis with new employees: Officers Jarrod Flateau who came from Pilot Rock PD, Shawnee Rodriguez and Jared Zumwalt (not in attendance) who both came from the HPD Reserve Program, and Records Specialist Shannon Robinson. Chief Edmiston stated Corporal Gene Wilson will be leaving Hermiston Police Department to implement a School Resource Officer position for the City of Umatilla.

## **Recognitions**

Chief Edmiston recognized the Investigation Team for the 2<sup>nd</sup> quarter, led by Lieutenant Randy Studebaker and Detectives Victor Gutierrez and Freddy Sotelo. This team has been extremely busy working long hours, as they see and investigate horrendous crime scenes and outrageous things that happen to people and children, and regardless, they constantly try to put their best foot forward and to try to bring closure to families.

## **2<sup>nd</sup> Quarter (2020) Crime Report**

Chief Edmiston reviewed the 2<sup>nd</sup> quarter crime report (attached) and stated the crime report is definitely skewed because of the pandemic. There is 30% drop in total crime from last year and 33% down from the previous 10-year average. Burglaries and larcenies are down significantly and likely due to people being at home more. There is a 0% increase in violent crime from last year, however, it is up 6% from the 10-year average. Traffic stops are up 14% from last year and up 10% from the 10-year average as HPD receives the largest complaints about speeding vehicles; however, HPD officers are issuing more warnings to motorists as a result of the pandemic.

As previously reported, nearly 40% of HPD's sworn officers, 11 out of 28, have been impacted either directly by COVID-19 or indirectly through quarantine. HPD is hopeful we are on the rebound, but this will result in more overtime than normal being spent.

## **New Radio System**

Chief Edmiston stated HPD is slated to be online with the new radio system by late September which will provide encryption. This will allow a greater privacy, through airwaves, of personal information.

## **Big 3 Synopsis**

Chief Edmiston reviewed (attached) the Big 3 Synopsis consisting of: 2 Complaints last fiscal cycle, 7 Pursuits, and 23 Uses of Force.

(Councilor Hardin arrived at 5:25pm)

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## **Accreditation**

Chief Edmiston stated HPD is pursuing accreditation through Oregon Accreditation Alliance (OAA) and believes HPD is somewhere in the 85-90% of already abiding by the 116 standards to qualify for accreditation. There will be some extensive resources dedicated to this concept, but believes it is in the best long-term interest of the agency to do so.

However, one standard of the OAA in particular pertains to reserve officers needing to have comparable training as that of full-time officers. Because reserve officers are volunteers and most have full-time jobs, it will be incredibly difficult for HPD to meet this standard as written. Due to this reason, many agencies that have pursued accreditation have had to disband their reserve programs because of the coordination and expense of trying to ensure “comparable” training. HPD and the City has been very fortunate over the years of hiring from the reserve program, to include two recent hires, but this may be the end of our program due to this standard.

The goal is to receive accreditation within the next year. Then, there is a period of three years where HPD documents proof of compliance before being re-assessed again to ensure compliance. Agencies must then be re-accredited every three years.

Councilor Primmer stated the Reserve Program has been beneficial to HPD but also to the community, and while it would be a shame to lose it, he understands why it must be done.

Councilor Hardin thanked Captain Clark for the public outreach he recently pushed out.

## **Other**

Chief Edmiston and Captain Eynon spoke regarding the Department of Public Safety Standards & Training (DPSST) changes to their 16-week academy and curriculum training and impacts this has on the officer. Captain Eynon is part of the team that is redeveloping the academy to make it more effective and efficient to what is needed to be more knowledgeable, accountable, and transparent. However, DPSST trainings are being postponed due to COVID-19 and unfunded expenses. Regardless of the circumstances, recruits need to get trained and on time.

Chief Edmiston stated there was a recent ethics article regarding the State of Oregon and its police departments being ahead of the curve as they call-out bad officers.

## **Public Comment**

A member of the public asked how often Public Safety Meetings are held and where meeting information is located, what the complaint process consists of, and if all officers are equipped with body cameras.

Chief Edmiston stated meetings are held quarterly with the exception of the last meeting of the year as a year-end report is provided. Meeting dates, times, agendas and minutes are located on the City's website. Complaints are encouraged to be reported at the Police Department where Sergeants and Captains investigate the complaint. The final report, findings, and recommendation is presented to him (Chief Edmiston) where he has final determination of action to be taken and is reported to the Police Association. All reports are reported in the Big 3 Synopsis. All patrol officers, not all officers, are equipped

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with body cameras which run the entire time while on duty, however, the audio does not begin recording until the officer turns it on, which should be done when they come into contact with any person, however, there is a 30-second delay in audio start once the officer pushes start.

Jackie Linton thanked Captain Eynon for taking her call and answering the many questions she had. Jackie stated she was on the phone with Captain Eynon for a long time while she learned the HPD procedures and appreciates his time and patience with her.

## **Adjournment**

There was no other business and the meeting was adjourned at 5:48 PM.

DRAFT

# HERMISTON POLICE DEPARTMENT



## Mission Statement

*Without fear or favor and in partnership with our diverse community, we will create and maintain a safe environment with the reduction of crime through problem-oriented and community-based policing strategies. The quality of life for those we serve takes precedent over our individual needs.*

## 2<sup>nd</sup> QUARTER CRIME REPORT

2020

### Hermiston Police Department 2011-2020 Crime Stats - January through June

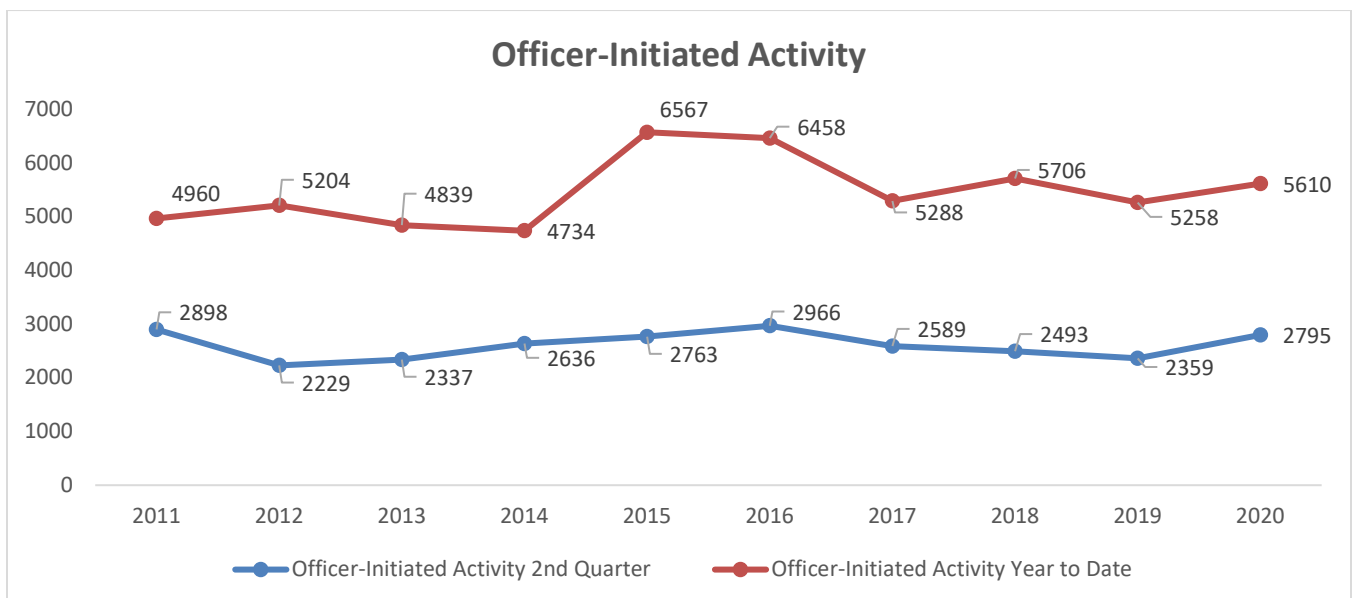
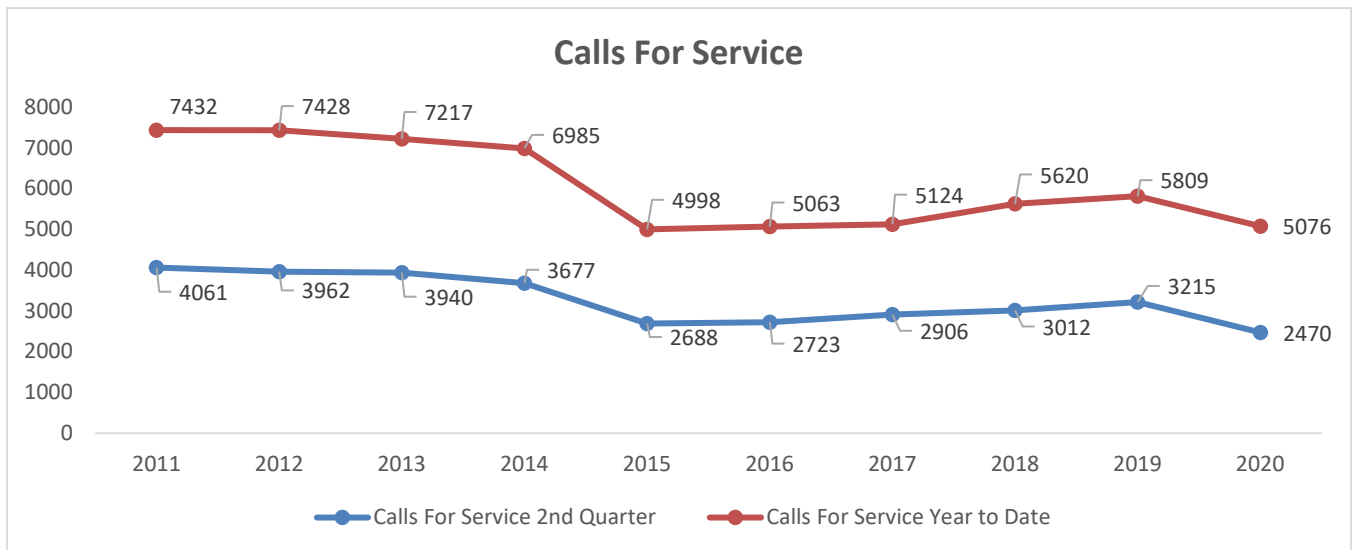
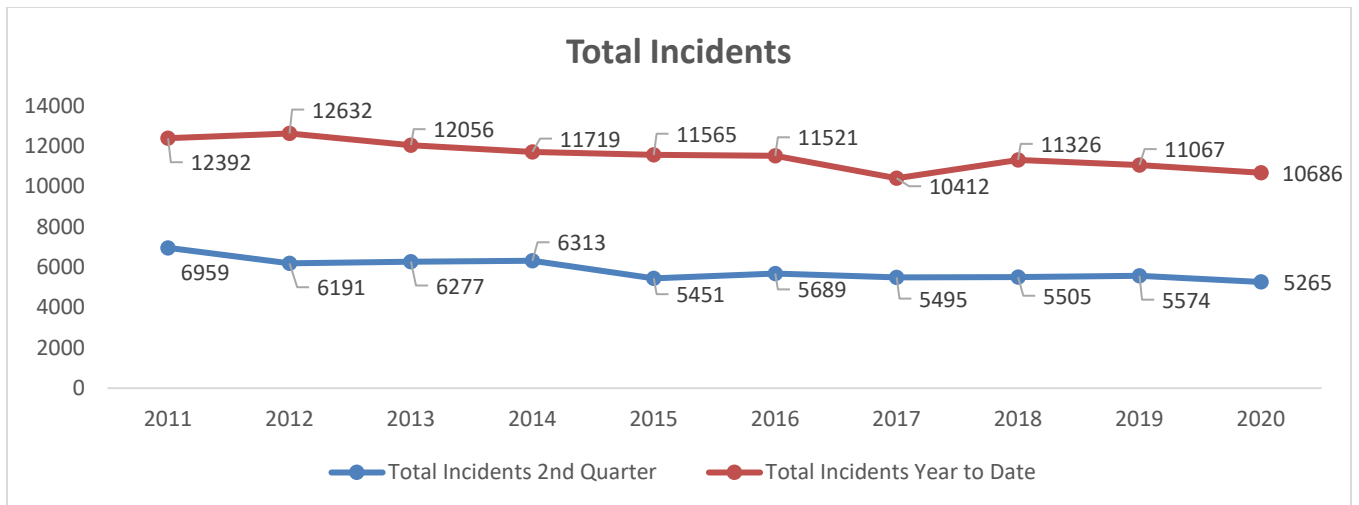
<u>Incident Type</u>	2011	2012	2013	2014	2015	2016	2017	2018	2019	Avg	Normal Range	2020	% Change Avg-'20	% Change '19-'20
Homicide	0	1	0	0	1	0	1	1	0	0	0-1	2	200%	200%
Rape	1	1	2	1	3	1	1	5	3	2	0-2	4	100%	33%
Robbery	4	7	5	7	2	0	1	5	4	4	2-6	5	25%	25%
Aggravated Assault	21	6	3	4	7	13	16	20	12	11	7-16	8	-27%	-33%
Burglary	61	71	51	42	29	24	25	51	39	44	33-54	26	-41%	-33%
Larceny	270	304	272	204	224	230	167	228	226	236	212-260	148	-37%	-35%
Auto Theft	23	36	28	10	27	17	23	21	22	23	20-26	17	-26%	-23%
Arson	0	2	1	2	1	0	1	0	1	1	0-1	4	300%	300%
<b>TOTAL</b>	<b>380</b>	<b>428</b>	<b>362</b>	<b>270</b>	<b>294</b>	<b>285</b>	<b>235</b>	<b>331</b>	<b>307</b>	<b>321</b>	<b>290-353</b>	<b>214</b>	<b>-33%</b>	<b>-30%</b>
<b>TOTAL VIOLENT</b>	<b>26</b>	<b>15</b>	<b>10</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>19</b>	<b>31</b>	<b>19</b>	<b>18</b>	<b>11-24</b>	<b>19</b>	<b>6%</b>	<b>0%</b>
<b>TOTAL PROPERTY</b>	<b>354</b>	<b>413</b>	<b>352</b>	<b>258</b>	<b>281</b>	<b>271</b>	<b>216</b>	<b>300</b>	<b>288</b>	<b>304</b>	<b>274-333</b>	<b>195</b>	<b>-36%</b>	<b>-32%</b>

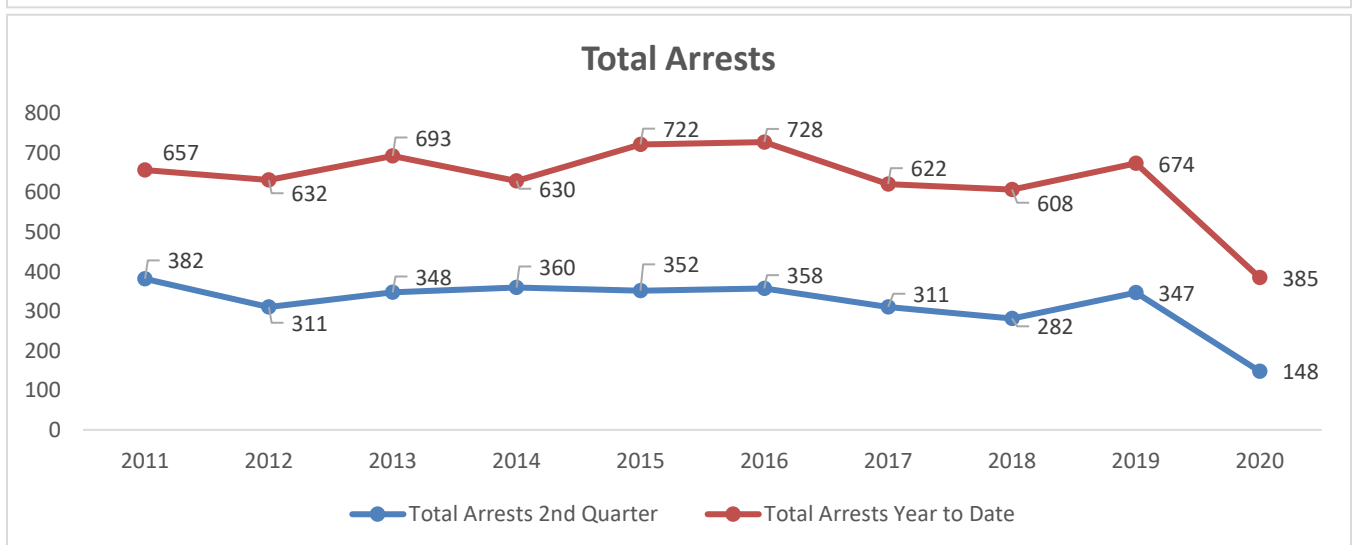
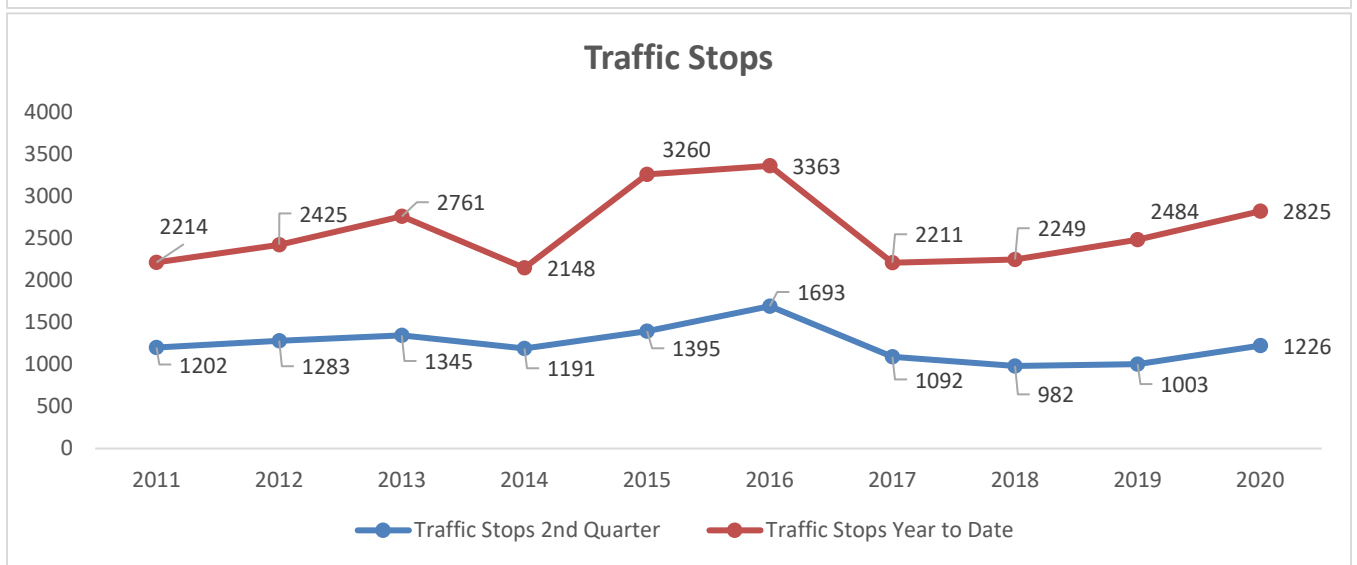
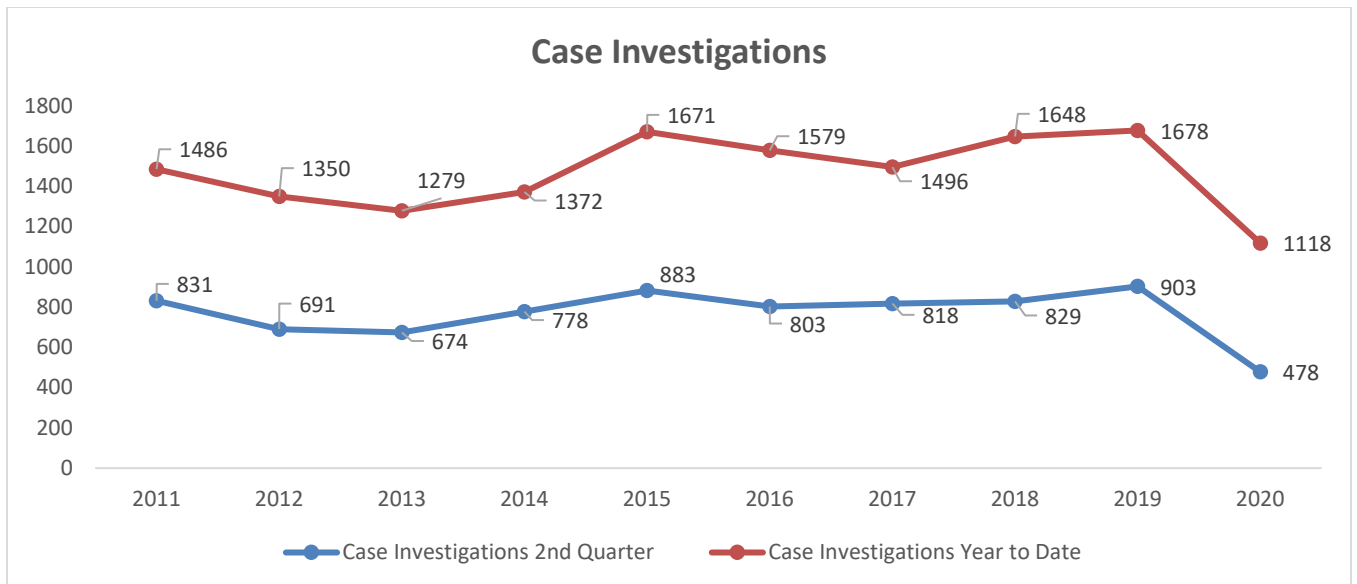
  

<b>POPULATION</b>	16745	16865	16995	17240	17345	17520	17730	17985	18200	18415
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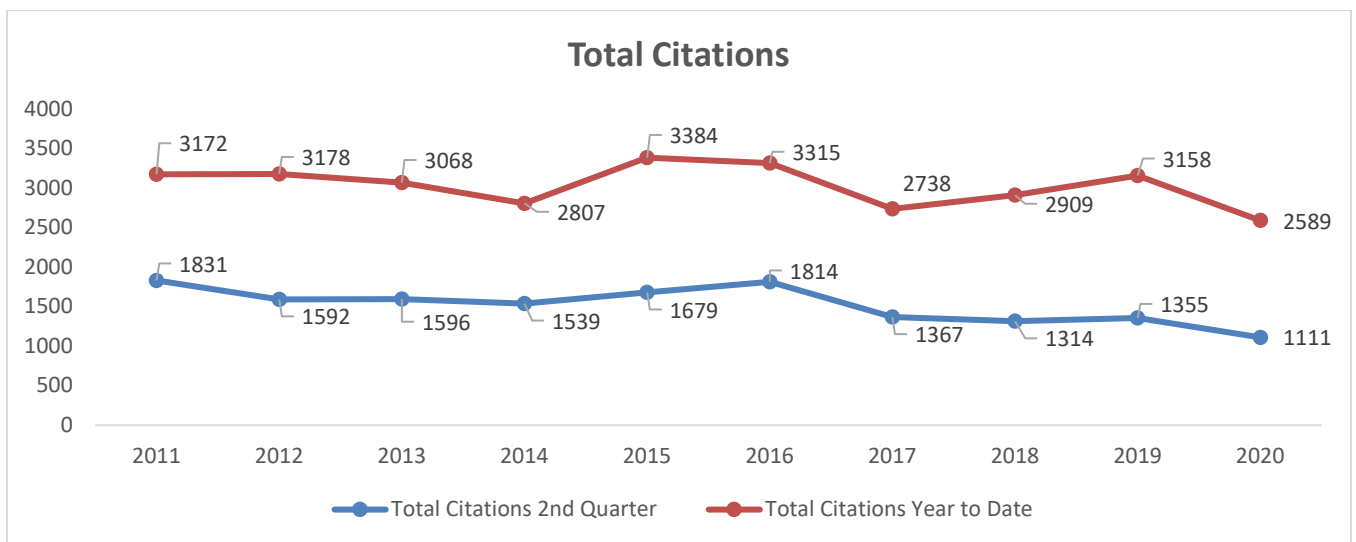
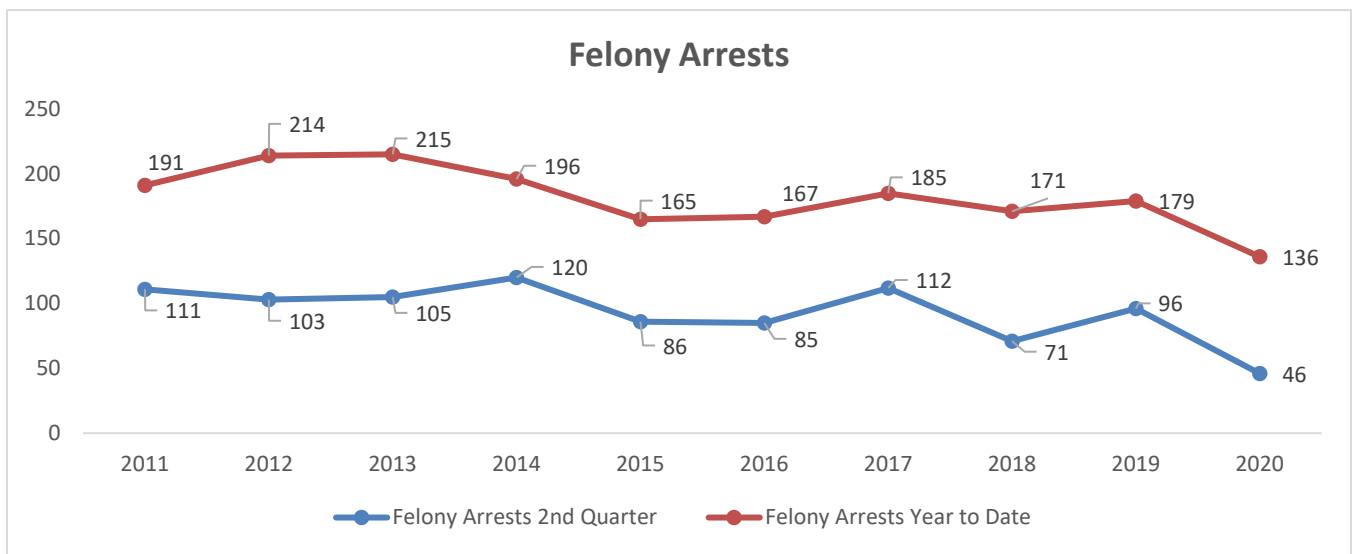
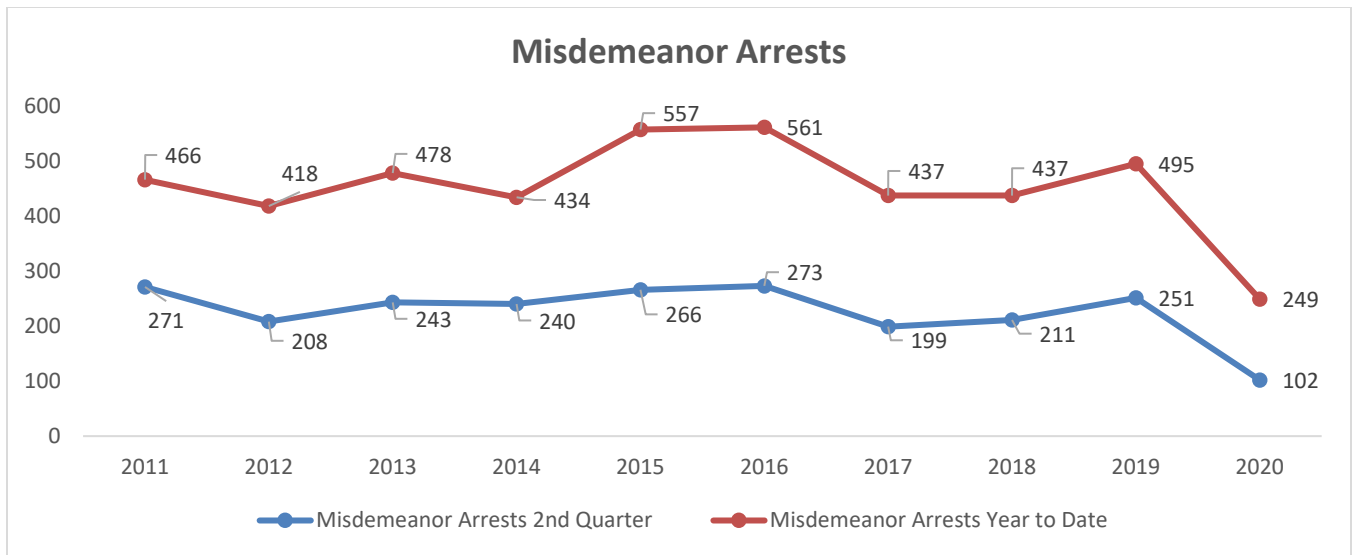
### Hermiston Police Department 2011-2020 Patrol Stats - January through June

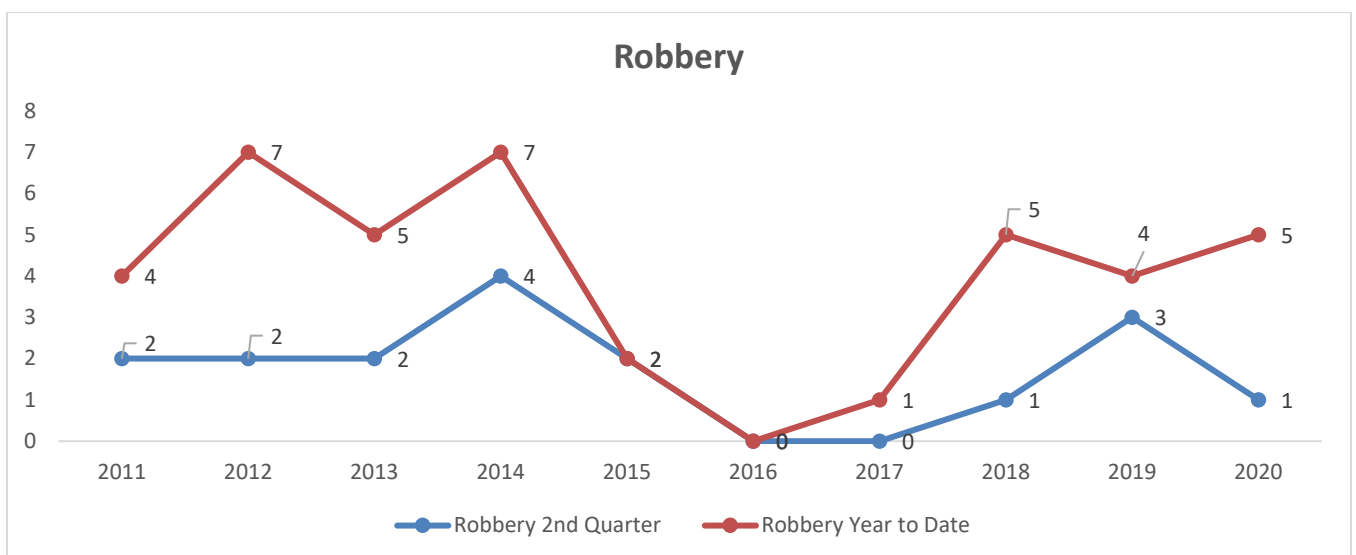
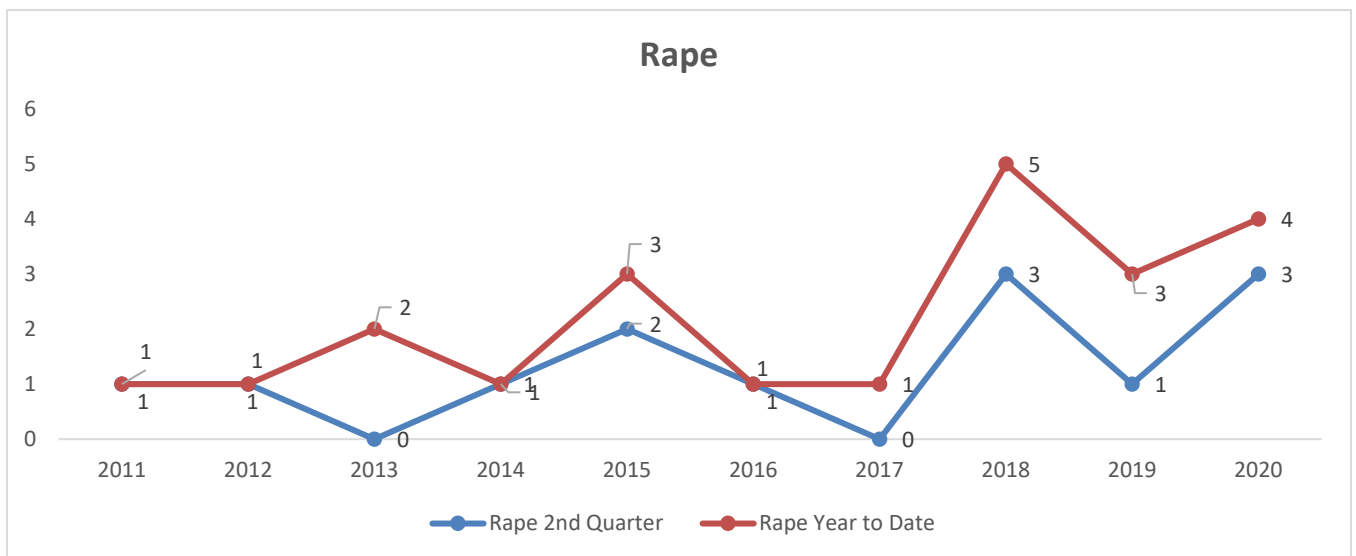
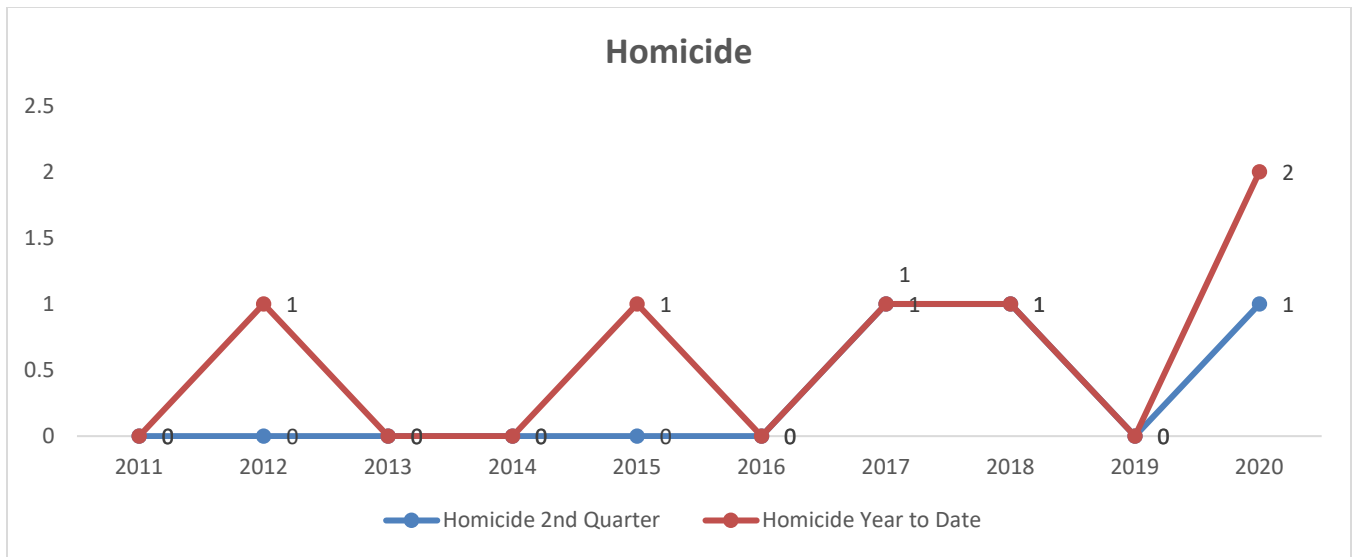
Incident Type	2011	2012	2013	2014	2015	2016	2017	2018	2019	Avg	Normal Range	2020	% Change Avg-'20	% Change '19-'20	
Total Incidents	12392	12632	12056	11719	11565	11521	10412	11326	11067	11632	11211-12054	10686	-8%	-3%	
Calls for Service	7432	7428	7217	6985	4998	5063	5124	5620	5809	6186	5858-6514	5076	-18%	-13%	
Officer Initiated Activity	4960	5204	4839	4734	6567	6458	5288	5706	5258	5446	4886-6006	5610	3%	7%	
Traffic Stops	2214	2425	2761	2148	3260	3363	2211	2249	2484	2568	2070-3067	2825	10%	14%	
Case Investigations	1486	1350	1279	1372	1671	1579	1496	1648	1678	1507	1438-1575	1118	-26%	-33%	
Total Arrests	657	632	693	630	722	728	622	608	674	663	613-712	385	-42%	-43%	
Misdemeanor Arrests	466	418	478	434	557	561	437	437	495	476	421-530	249	-48%	-50%	
Felony Arrests	191	214	215	196	165	167	185	171	179	187	179-195	136	-27%	-24%	
Total Citations	3172	3178	3068	2807	3384	3315	2738	2909	3158	3081	2837-3325	2589	-16%	-18%	
POPULATION	16745	16865	16995	17240	17345	17520	17730	17985	18200				18415		

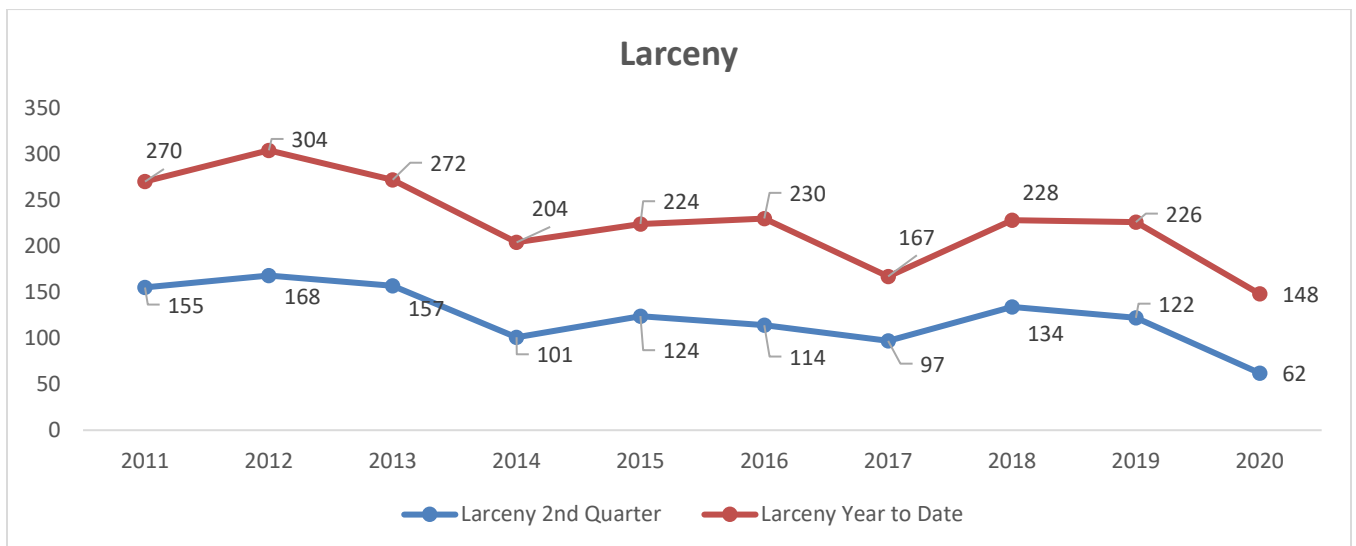
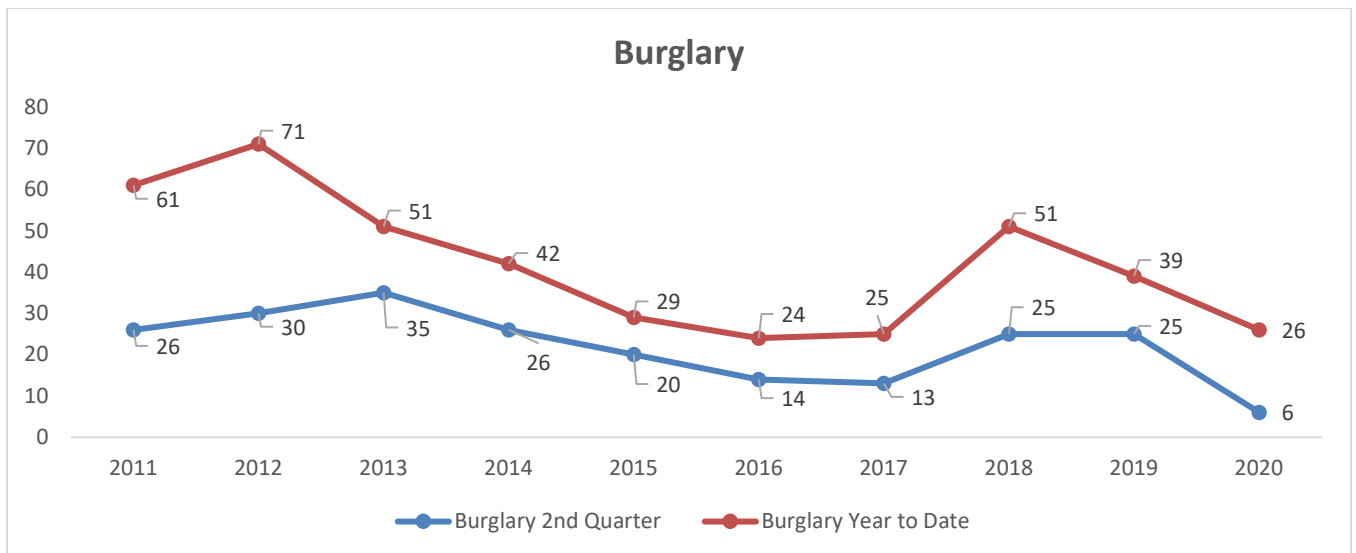
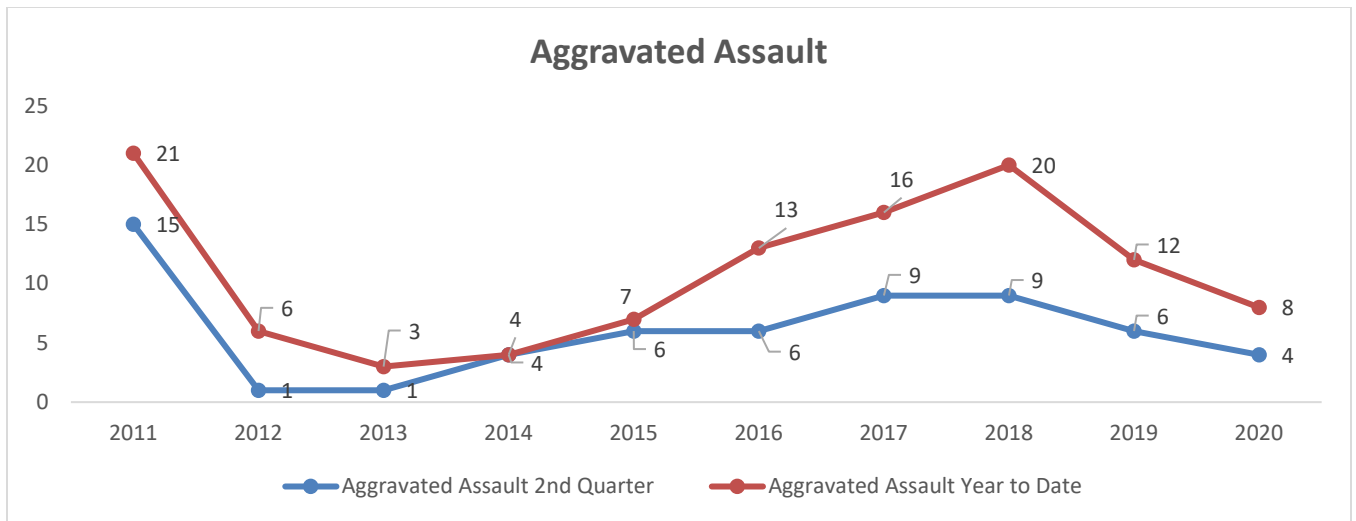


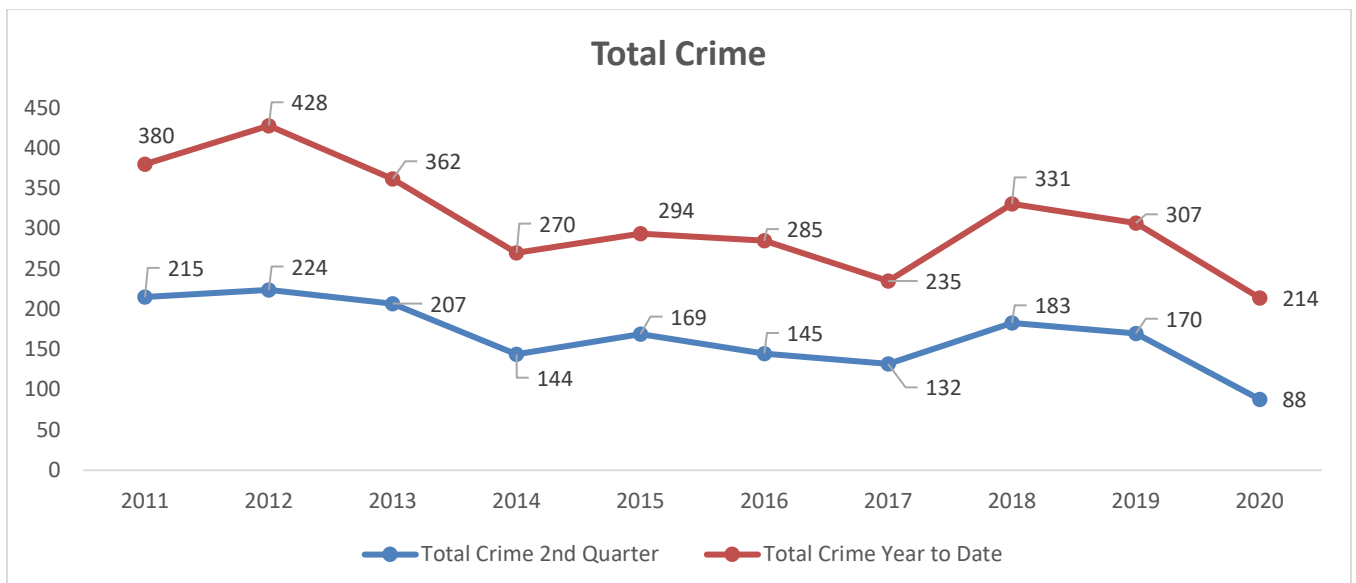
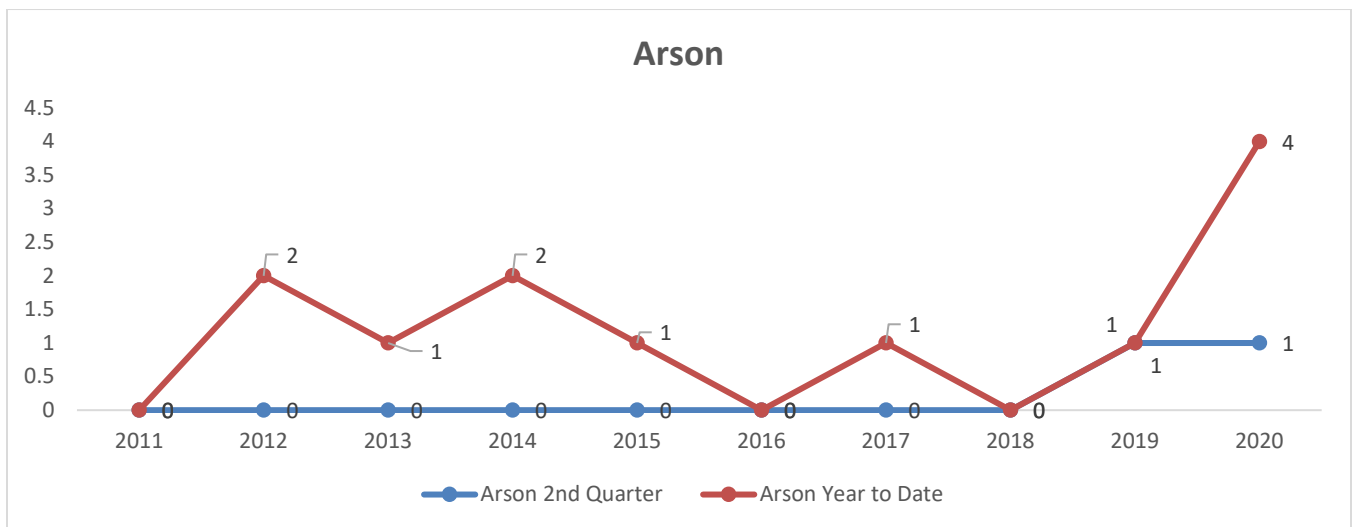
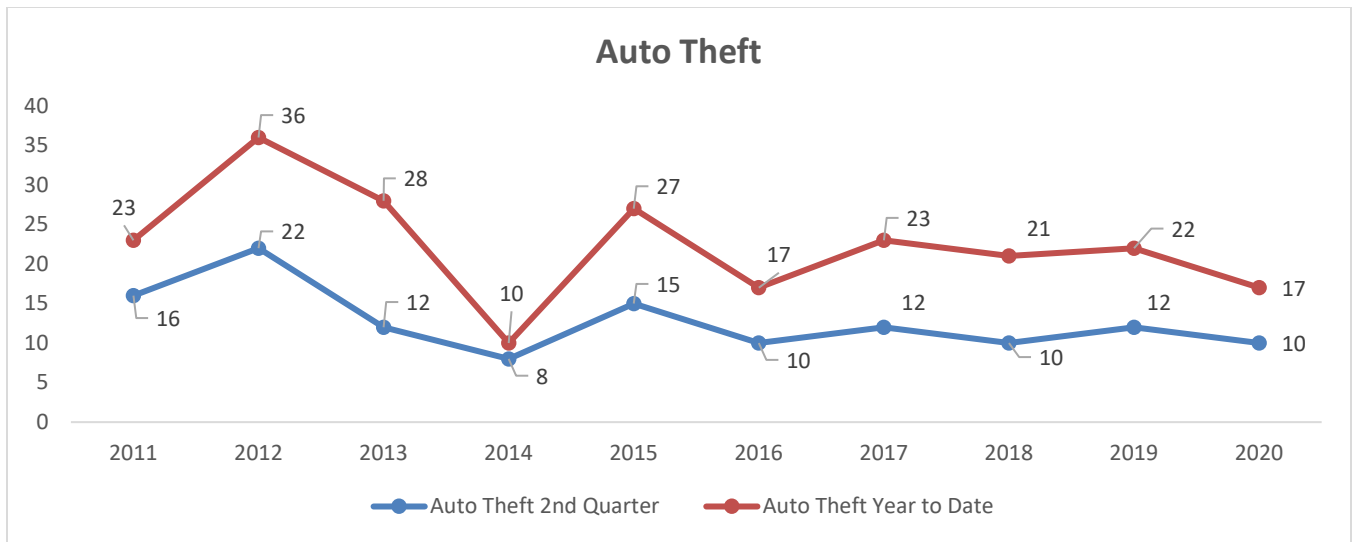


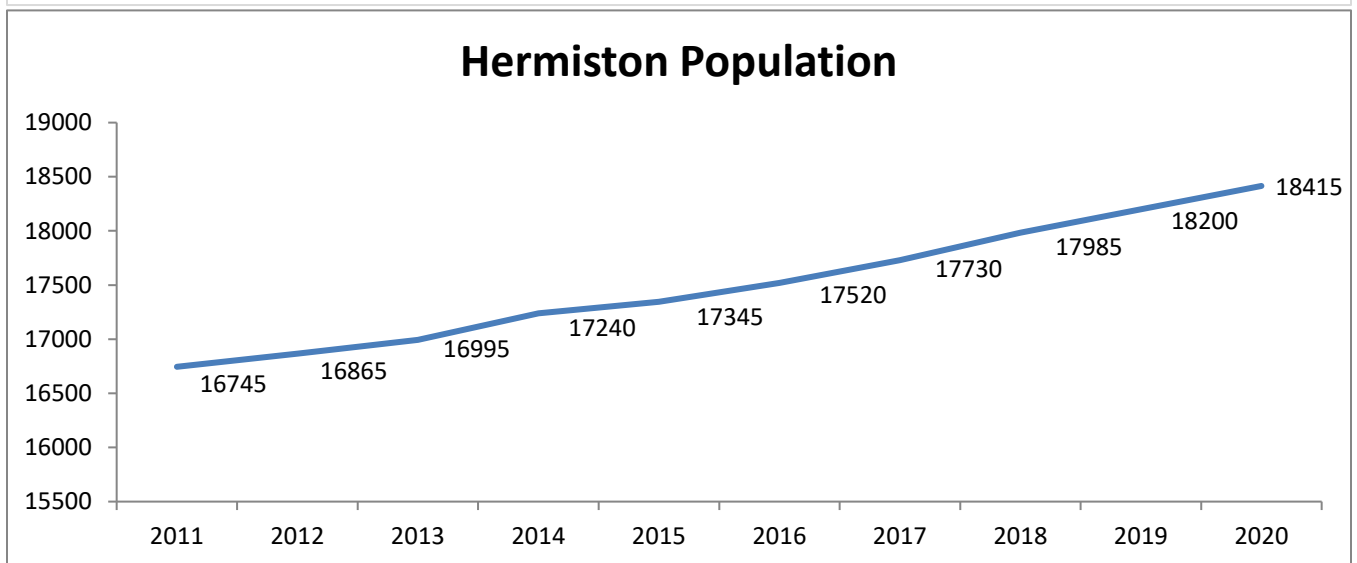
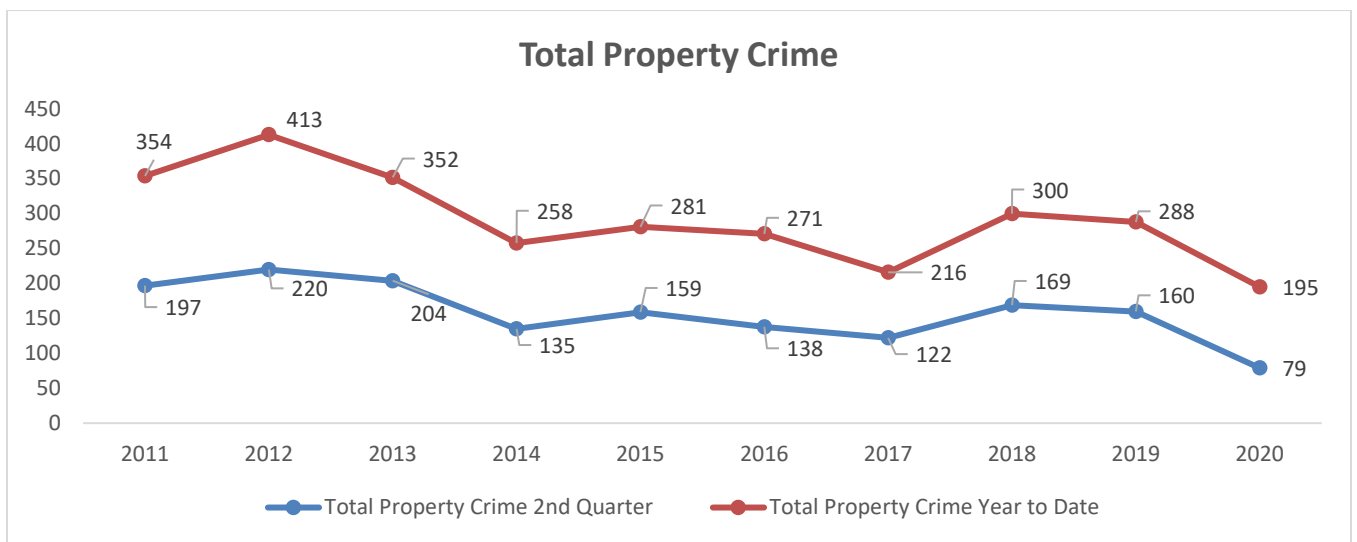
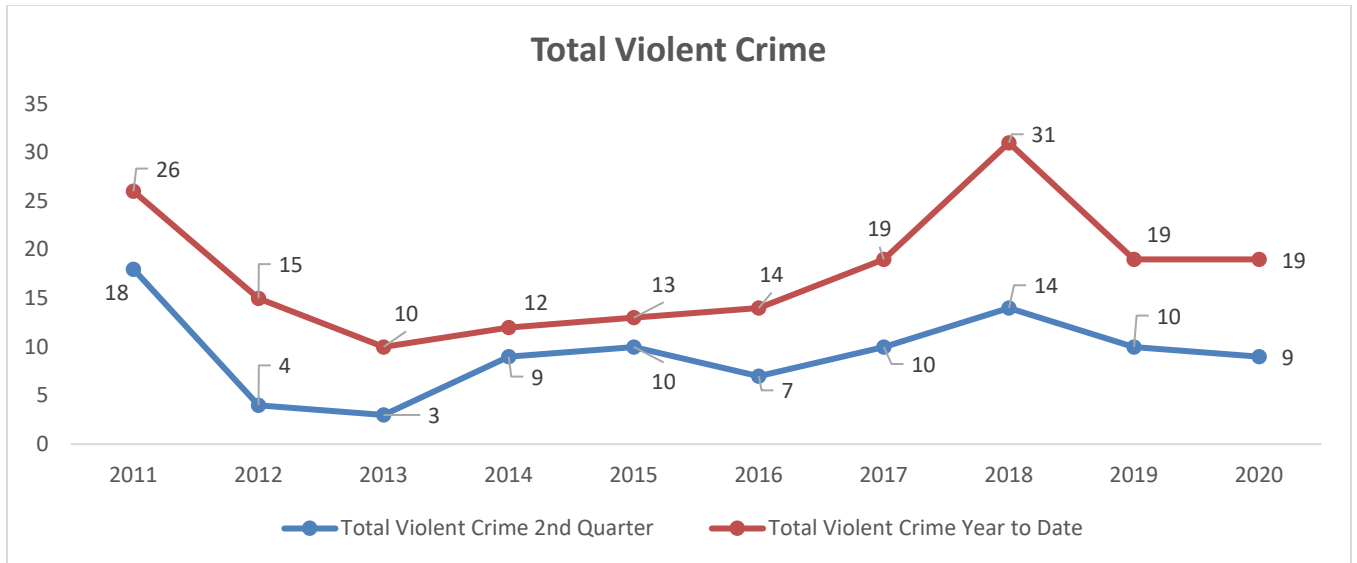














# HERMISTON POLICE DEPARTMENT



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*Without Fear Without Favor*

TO: Honorable Mayor David Drotzmann, City Councilors, and City Manager Smith  
FROM: Chief Jason Edmiston  
DATE: July 17<sup>th</sup>, 2020  
SUBJECT: Big 3 Synopsis

This marks the sixth year the Hermiston Police Department has presented a document to you on three things in policing that substantially increase the liability to the city. Those things (aka the Big 3) are Complaints, Use of Force, and Pursuits. By policy, all complaints about personnel, uses of force by personnel, and pursuits where personnel is involved, are thoroughly reviewed to ensure we are within policy and utilizing best practices to lessen the liability as much as possible.

Due to personnel/employment rules/laws coupled with the fact the media has requested this information from me before, this document is more of a 30,000-foot look at the reviews, but please know we have each review documented in its entirety and analyzed individually.

## **Complaint Review**

During the 2019/20 fiscal year, the Hermiston Police Department investigated (2) complaints regarding members of this agency. Both complaints came from outside the department (unlike last year where all three complaints were internal) with one from a local citizen and one from a person living in another state.

Each complaint had at least one allegation made as to the suspected failure to follow policy. Some of the complaint investigations had numerous allegations made. In total from the (2) complaints, (6) allegations were investigated. Of the (6) allegations investigated, 83% were Exonerated and 17% Not Sustained. As noted by Captain Eynon in his internal working report, the utilization of body cameras allowed us the ability to exonerate the majority of the allegations of wrongdoing on the part of our officers.

Disposition definitions are as follows:

Sustained – Evidence sufficient to prove the allegation(s).

Not Sustained – Insufficient evidence to either prove or disprove the allegation(s).

Exonerated – Incident occurred but was lawful or proper.

<b>Fiscal Year</b>	<b>Number of Complaints</b>
2019-2020	2
2018-2019	3
2017-2018	4
2016-2017	2
2015-2016	6
2014-2015	6
2013-2014	5
2012-2013	6
2011-2012	6
2010-2011	14

(10-year average 5.4 per year)

### **Pursuit Review**

Members pursuing fleeing subjects is yet another area where the city incurs tremendous liability. Policies across the nation vary greatly concerning the question to pursue or not pursue. Some agencies have policies forbidding officers to pursue fleeing subjects, which once known in the criminal world, can be very detrimental. Sound policies and practices are critical to ensure we limit that liability as much as possible when involved in a pursuit.

While having sound policies is important, scrutinizing each pursuit we are involved in to highlight positive actions on the part of the officers or areas where we could improve, is in my opinion, where the rubber meets the road.

<b>Fiscal Year</b>	<b># of Pursuits</b>	<b>Avg. duration in minutes</b>
2019-2020	7	4.8*
2018-2019	8	1.9
2017-2018	14	4.9
2016-2017	9	2.5
2015-2016	12	3.8
2014-2015	4	4.25
2013-2014	9	7.1
2012-2013	8	7.6
2011-2012	9	4
2010-2011	11	3.7
<b><i>Average per year</i></b>	<b><i>9.1</i></b>	<b><i>4.5</i></b>

\* It is important to note one of the pursuits this period lasted 17 minutes and was on the interstate thereby skewing the average duration.

In an attempt to put the topic of pursuits into perspective, our agency conducted 5,913 traffic stops during the 2019/20 fiscal year – 7 pursuits/5,913 stops = .0011% (< ¼ of 1% of all stops)

### **Use of Force Review**

As previously mentioned, the utilization of force on the part of the members of this department in the performance of their duties creates a heightened sense of exposure to the city. This is why it is critical to have supervisors involved if not during the actual application, then definitely after the use during the post-review. The use of force review provides us the opportunity to ensure we are functioning within the law, policies/procedures, or best practices. *Every use of force* by this agency is reviewed through the established chain of command and must be signed off by the chief of police with recommendation(s) moving forward.

*If* there was ever a time where the use of force appeared to be based on some kind of bias or other inappropriate factor(s), it is my policy (and my sworn duty) to notify the Office of the District Attorney and ask for an outside investigation to be conducted.

<b>Fiscal Year</b>	<b># of Arrests</b>	<b># of Uses of Force</b>	<b>% of Use of Force</b>
2019-2020	1,230*	23	1.9%
2018-2019	1,546	20	1.3%
2017-2018	1,595	18	1.1%
2016-2017	1,495	11	< 1% (.73%)
2015-2016	1,687	14	<1% (.83%)
2014-2015	1,796	7	< 1% (.39%)
2013-2014	1,687	10	< 1% (.59%)
2012-2013	1,737	10	< 1% (.58%)
2011-2012	1,765	15	< 1% (.85%)
2010-2011	1,770	12	< 1% (.68%)
<b>Average per year</b>	<b>1,631</b>	<b>14</b>	<b>&lt; 1% (.86%)</b>

\* It should be noted due to administrative changes, members of the department stopped making arrests for Hermiston Municipal Court warrants in August of 2019.

Because there is no national standardization of policing in the United States (which I believe is the appropriate thing) each agency must rely on best practices for the state in which they reside. There is still a disparity between agencies on what constitutes an application of force that they are going to consider and document as a use of force. This is one area where I believe a national standard would be appropriate.

For us, our policy is that a Use of Force Review will be conducted on *any incident* which rises to the level of more than just the application of handcuffs on a person. In other words, if officers have to use other



physical controls (such as an armbar takedown, hair takedown, leg sweep, etc.) to effect the arrest, we will review the actions of both the officer and the suspect in a review. It is not dependent upon an injury to the subject, which may be the case in some agencies.

The process for our Use of Force Review is the following:

1. A Use of Force form will be completed by the supervisor on duty. If there is no supervisor on duty, the oncoming supervisor is responsible to ensure the form is filled out by those involved. This includes watching body camera footage and incorporating any other known evidence.
2. The supervisor (in our agency this is typically a sergeant) forwards the form to their captain for review.
3. The captain reviews the incident to include watching body camera footage and then can either send the review back with questions/concerns or forward the review to the chief.
4. The chief reads through the review similarly to the captain and then proceeds with a recommendation.
5. The review is shared with other command staff (captain and lieutenant) to ensure we have as many eyes as possible on our critique.
6. We then document the review with the Oregon Department of Public Safety Standards and Training.
7. Effective July 1<sup>st</sup>, 2020, all reviews moving forward will be uploaded into the FBI National Use of Force database.

With the incredible scrutiny taking place against law enforcement across our nation, we also track those incidents where our officers point their firearm at a person. Though some may argue the “use” of the weapon is a use of force, I *adamantly* do not believe that to be the case. The weapon is a “show” of force but I do not count it as a use of force within our agency. In the 2019/20 fiscal year, our officers pointed a firearm at (33) persons during (12) separate incidents. It should be noted that not all incidents involved an arrest as our officers often have their weapons in a ready state on calls for service with a heightened awareness such as burglar alarms.

In looking at the years listed in the graph, you will see our officers used force 1.9% of the time they made an arrest. Though this number is the highest of the years listed, the number would decrease even further if we were to compare the uses of force with the total contacts our officers have with our citizenry each year.

Since race is very much a topic of discussion, it should be noted of the 23 uses of force in the 2019/20 fiscal year, eleven or 48% of the combatants were Hispanic/Latino, nine or 39% were Caucasian, two or 8% were African-American, and one or 4% was Native American.

For the incidents where our officers pointed their firearm at a person, twenty-three or 70% of the people were Caucasian, eight or 24% were of Hispanic/Latino descent and two or 6% were African-American.

### **Moving Forward**

This agency will continue to focus on professional customer service delivery for each encounter or interaction we have with those we serve. As the agency head, I am charged with ensuring we are compliant with best practices and procedures in policing and that we provide the appropriate training to our members.

It should be noted the training budget for the police department since City Manager Smith was hired, has increased 60%. I believe we currently have enough dedicated resources in that budget line item to ensure quality training for all members throughout each year so we can continue to grow, and to ensure we comply with unfunded state mandates.

As you know, a well-trained staff helps so that when transitions in leadership or positions occur, it is done seamlessly and with minimal impact on our citizenry.

In light of the heightened scrutiny on law enforcement, I leave you with at least three takeaways from this document:

1. The utilization of body cameras and other less lethal devices assist us in everything we do to ensure transparency and accountability. We are very grateful of the support from city leadership for these expenditures.
2. I have hinted we may see an increase in the application of use of force. I think this is based on two things:
  - a. As laws, rules, customs, norms, etc. across our nation erode, we are dealing with people who are more likely to act out violently against police officers.
  - b. I find it interesting if you look around the 2014/15 fiscal year for use of force, there has been a rather steady increase in uses of force. The civil unrest in Ferguson, Missouri took place in August of 2014 and I believe since that time, many law enforcement agencies are more critical about their actions. For us, we evolved to the “anything other than compliant handcuffing” as a result, and as such, we are documenting our application of force more.
3. A topic on our agenda for the next Public Safety Committee meeting (July 27<sup>th</sup>, 2020 @ 5:15 PM) is Agency Accreditation. This has been an ongoing discussion between City Manager Smith and myself since his arrival. More news to follow on that.