

University of Oregon Police Department Issue Briefs

ISSUE: CLERY ACT COMPLIANCE

UOPD serves as the primary agent at the UO for several important Jeanne Clery Act functions: assembly of the Annual Security and Fire Safety Report, maintenance of the campus crime log, release of timely warning notices, and notification of campus security authorities. UOPD employs a crime analyst whose duties include coordinating Clery Act statistics and the annual report; the UOPD public information officer writes and releases timely warning notices. UOPD also aids the Title IX office by assisting with investigations and referring cases for Title IX investigation.

ISSUE: SPECIALIZED INVESTIGATION

UOPD employs a half-time detective sergeant to oversee or conduct criminal investigations. The officer is retired from the Eugene Police Department, where she oversaw the violent crimes division. Besides having expertise in sexual assault investigations, she is trained in Title IX investigations, and often works with both the Title IX office and the Office of the Dean of Students (including Student Conduct) in satisfying institutional and federal requirements.

The detective sergeant may, as circumstances allow, take on cases from outside agencies that involve UO-affiliated parties, in order to provide superior or more timely service. Such cases are typically those within the department's capacity, that the agency of jurisdiction does not prioritize.

The university is pursuing changes to the position and the department's scope that would allow her to be armed, in order to follow the industry best-practice for safely conducting investigations that occur in unsecured locations such as private residences. Currently, her work is mainly conducted on-campus, by phone or e-mail, or at generally safe public locations elsewhere in the community.

ISSUE: JURISDICTION AND M.O.U.

UOPD operates in the middle of another agency's jurisdiction, without a formal agreement of authority/responsibility.

EPD is legally responsible for the entire city, including campus. UOPD operates collegially with EPD, but at this point there is no finalized Memorandum of Understanding that carves out a jurisdiction for UOPD, or says how UOPD can or will be involved with off-campus cases of interest to the university and its constituents.

An intergovernmental agreement is in the draft stage, that would enhance clarity on cases and incidents off-campus that UOPD could legally and practically address.

ISSUE: INFORMATION-SHARING

Lane County public safety agencies, including EPD, UOPD and Lane County Sheriff's Office, formerly used a common system for taking incident call information to dispatch and inform officers. This allowed UOPD to be immediately aware of EPD calls in the vicinity, to inform UOPD patrol, or to be aware for emergency management or to satisfy responsibilities to inform the campus (per the Clery Act). Use of this aging and declining common system has been suspended, and now (due to contract, budgeting and other issues) agencies use different systems that do not "talk to one another." UOPD dispatch is limited to what information comes over law enforcement radio channels, or what is explicitly shared by EPD or other dispatchers, leading to a decline in the university's access to information regarding EPD active enforcement activities.

UOPD and the Finance and Administration division are pursuing purchase of a new system that would allow the best possible integration with outside law enforcement. The department is also in discussions with other agencies to ensure protocols that will allow that continued access regardless of the systems used by each department.

ISSUE: INFORMATION SHARING, PRIORITIES & TIMELINES

To satisfy Title IX and Clery Act requirements, and to better conduct investigations, prevention activity, and conduct processes, the UO relies on information or cooperation from EPD. Most often, this includes police reports, call information, and case disposition. For example, police investigations can be used as a substantial basis for Title IX or conduct investigations, and often have a greater ability to compel participation or responses from involved parties. In another example, details from a report or call may determine if or how the university distributes a Clery Act timely warning notice.

EPD's high volume of cases city-wide, and limited resources, means that cases involving UO interests cannot always be prioritized.

UOPD is meeting with EPD to seek to finalize operational agreements for receiving and handling law enforcement information that will satisfy the UO's legal requirements, including federal mandates that do not apply to EPD, and UOPD's law enforcement obligations.

ISSUE: EXPECTATIONS FOR SERVICE

There is an ongoing discrepancy between some community expectations that UOPD will provide near-campus response and enforcement, vs. the department's functional capacity, and authority granted by UO administration.

UOPD has the ability to refer students to student conduct, as opposed to or in addition to criminal justice outcomes like citations or arrests. Eugene Police lack this option; they either cite/arrest, or warn and release. UO student leadership has recently expressed interest in UOPD handling near-campus student issues. Neighbors generally would like more attention on quelling disruptive behavior, and sees UOPD as a possible aid in this effort. EPD sees party patrol and related response as a drain

on resources, and since many offenders are UO students, would welcome UOPD assisting or taking over this function.

UOPD lacks the officer staff numbers to broadly address off-campus issues. Also, UOPD's functional jurisdiction is currently limited to UO-owned and -controlled property, by administrative directive.

ISSUE: PUBLIC MISUNDERSTANDING OF UOPD ROLE

UOPD, while part of the UO, is a state-certified law enforcement agency. It must follow relevant state and federal laws regarding law enforcement practices, as well as industry best-practices and ethics regarding law enforcement investigations and conduct.

If another law enforcement agency is conducting an investigation involving UO-affiliated parties in another jurisdiction (such as off-campus elsewhere in Eugene), and UOPD has not been asked by that agency to assist, then UOPD and its employees have no special right to knowledge or influence with that case. Further, UOPD may have knowledge of or access to law enforcement information that would not be proper, ethical or legal to share with non-law enforcement employees at the UO.