

The Ashland Police Department has worked toward providing equitable policing services, transparency and community engagement for years.

In 2015 President Obama's task force on policing in the United States published The President's Task Force on 21<sup>st</sup> Century Policing final report. It can be found here:

[https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf)

The report called for police agencies to adopt the Six Pillars of 21<sup>st</sup> Century Policing. Those six pillars are:

- Building Trust and Legitimacy
- Policy and Oversight
- Technology and Social Media
- Community Policing and Crime Reduction
- Training and Education
- Officer Wellness and Safety

When the report came out the Ashland Police Department was already adhering to the ideas put forward through the Six Pillars of 21<sup>st</sup> Century Policing. APD continues to look for new ways to best serve all members of the community in as equitable and compassionate a manner as possible.

The police department requires all members to undergo implicit bias training and procedural justice training (see below), as well as other key trainings. The work that APD has done on this front caught the attention of the Oregon Department of Public Safety Standards and Training and APD Police Chief Tighe O'Meara was invited to participate in a state-wide work group to redefine the basic police academy curriculum. This curriculum now includes these topics as well as several others to help new officers build their careers on a foundation that will best serve the entire community.

#### Implicit Bias Training

Chief O'Meara is a certified implicit bias instructor through the national Fair and Impartial Policing program. Everyone has implicit (unconscious) biases that, if left unacknowledged and unchecked can impact our decision making without us knowing it. Only through training and honest self-reflection can we overcome these biases and take away their ability to impact our decision making.

<https://fipolicing.com/>

#### Procedural Justice Training

Chief O'Meara, Lieutenant Meletich and Officer Billings are procedural justice trainers. Procedural Justice dictates that in all interactions with community members officers must:

1. Show respect, regardless of what a person's role is in the situation
2. Allow each person to be heard
3. Be impartial in their decision making

4. Be transparent in their decision making
5. Never challenge a person's dignity

Studies have shown that if this approach can be used, uses of force are minimized, as each person, even a potential suspect feels as though they have been heard and respected.

<https://trustandjustice.org/resources/intervention/procedural-justice>

#### Body Camera Program

Like many police agencies APD uses body cameras. All officers are required by policy to wear them, and Oregon law dictates that they be activated when an officer is initiating an enforcement contact. Oregon law also allows that if it is covered by policy the camera can be turned off in certain situations. APD allows that the camera be turned off only when the need for privacy outweighs the need to collect evidence. An example of this would be if an officer were called to investigate a sexual assault at a hospital. Officer initiated enforcement stops do not meet this requirement and an officer would be out of policy if the body camera did not remain on for the duration of the encounter.

All APD patrol vehicles are also equipped with dash-mounted cameras and back seat cameras that record traffic stops and prisoner transports.

<https://www.oregonlaws.org/ors/133.741>

#### On-Line Policy Manual and Complaint Reporting

In an effort to be as transparent as possible APD has placed its entire policy manual online. It is important that our community partners know the rules by which we operate. It is also important that our community members feel comfortable in pointing out when we have not followed our own rules. To that end we make it as easy as possible for any community member to lodge a complaint. This can be done in several ways, one of which is via the department's webpage under the "Police Feedback" button. Any complaints of APD officers engaging in race-based policing will be forwarded to the state committee pursuant to 2015 Oregon Law c 681 section 2.

[https://www.ashland.or.us/Files/Released\\_06-04-20.pdf](https://www.ashland.or.us/Files/Released_06-04-20.pdf)

<https://www.ashland.or.us/FormPageBS.asp?FormID=191>

## **RESPONSES TO USE OF FORCE POLICY CONCERNS**

1. **Failing to require officers to de-escalate situations**, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force.

All APD officers have received de-escalation training and attempting de-escalation when possible is a long-standing part of the APD culture and practices. As of June 4, 2020 APD's policy 300.1 covers use of de-escalation and states: Whenever feasible, officers

should attempt to de-escalate confrontations with the goal of resolving encounters without force.

2. **Allowing officers to choke or strangle suspects**, in many cases where less lethal force could be used instead, resulting in the unnecessary death or serious injury of suspects

As of June 4, 2020 APD policy manual 300.3.4 CAROTID CONTROL, "CHOKE HOLD", LATERAL VASCULAR NECK RESTRAINT (LVNR) states the following: The Ashland Police Department does not use nor train in the use of the Carotid Control Hold, Choke hold or the Lateral Vascular Neck Restraint (LVNR). During a deadly use of force application officers may use any means necessary as described in policy 300.4.

3. **Failing to require officers to intervene and stop excessive force** used by other officers and report these incidents immediately to a supervisor

APD's policy manual already covers this: 300.1.2 DUTY TO INTERCEDE  
Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of such excessive force. Such officers should also promptly report these observations to a supervisor.

4. **Failing to restrict officers from shooting at moving vehicles**, which is regarded as a particularly dangerous and ineffective tactic.

Shooting at or from a moving vehicle is something that is prohibited except under very limited circumstances. It is not something that can be outright prohibited as it may be the only option available to an officer in a lethal force situation.

APD's policy manual already covers this: 300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

5. **Failing to develop a Force Continuum** that limits the types of force and/or weapons that can be used to respond to specific types of resistance.

The State of Oregon's Department of Public Safety Standards and Training stepped away from the Force Continuum several years ago, as has the APD. Officers are encouraged to respond to the threat that is presented, while employing de-escalation techniques and employing the minimal amount of force necessary to effect the arrest. To require and officer to use an "if-then" approach to use of force incidents can be very dangerous to the officer and the public. It is better to give the officer various tools and to ensure the officer respond in an appropriate way given the totality of circumstances, while keeping in mind

that de-escalation and using the minimum force necessary are critical to every use of force encounter.

### 300.2 POLICY

It is the policy of this department that officers shall use only that amount of force that reasonably appears necessary, given the facts and circumstances perceived by the officer at the time of the event, to effectively bring an incident under control.

6. **Failing to require officers to exhaust all other reasonable means** before resorting to deadly force

While a requirement to de-escalate and to use the minimum amount of force necessary speak to this, and must be employed, requiring officers to exhaust lower levels of force before applying higher levels of force is problematic. If a suspect is presenting an immediate threat to another person, it would put that person and the officer, and the public at continued risk to have an officer attempt to apply lower level force. The officer must respond to the force level that is being presented by the suspect.

7. **Failing to require officers to give a verbal warning**, when possible, before shooting at a civilian

APD's policy manual calls for verbal warnings to be issued (when feasible) in several instances prior to action, including lethal force being applied.

8. **Failing to require officers to report each time they use force or threaten to use force** against suspects

APD's policy manual already covers this: 300.5 REPORTING THE USE OF FORCE  
Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.