



# Philomath Police Department

## Chief Ken Rueben

"Committed to Quality Service in Partnership with the Community"

1010 Applegate Street, Philomath, Oregon 97370 541-929-6911

## POLICE COMMITTEE AGENDA

**September 15, 2020**

**3:00-4:30 PM**

**Video Conference Call (See bottom of page for details)**

**Staff Members:**

Ken Rueben, Chief of Police  
David Gurski, Sergeant  
Shelley Bartlow, Administrative Assistant  
Ruth Post, City Recorder

**Roll Call:**

**Minutes Review & Approval:**

May 2020 Minutes  
July 2020 Minutes

**Agenda:**

Policy Update-	Chief Rueben
Statewide Forest Fire Update-	Chief Rueben
Code Enforcement/ Nuisance Properties-	Chief Rueben and Sgt. Gurski
Radar Sign Update-	Chief Rueben and Sgt. Gurski

**Meeting Access Information**

This meeting is being held electronically via Zoom. Prior to the meeting, participants will be provided with the Zoom meeting link. Citizens may watch the live feed of the meeting on the City's Facebook page at <https://www.facebook.com/cityofphilomath>. This is a public page and does not require a Facebook account to access. Contact City Hall to make viewing arrangements if you do not have access to the internet.

**POLICE COMMITTEE MEETING  
MINUTES**  
July 14, 2020

The Police Committee meeting was called to order by Chair Doug Edmonds on Tuesday, July 14, 2020 at 3:00 p.m. Due to the Oregon Governor's Executive Order 20-12 requiring social distancing due to the COVID-19 pandemic, the meeting was held via video conferencing technology with the public allowed to attend electronically. Instructions for the public to access the meeting were provided on the meeting agenda, City's website, and media notice.

**ROLL CALL:**

**Committee:** Chair Doug Edmonds and Councilor Ruth Causey.

**Staff:** Police Chief Ken Rueben, City Manager Chris Workman, and City Recorder Ruth Post.

**Absent:** Councilor Matthew Thomas

**APPROVAL OF MINUTES:**

The minutes of the May 12, 2020 meeting were unavailable and deferred to the next meeting.

Chief Rueben suggested a discussion request from Councilor Causey regarding protocols be deferred to a meeting with sufficient time dedicated to it. It was agreed to defer the discussion to the September meeting.

**NEW BUSINESS:**

**Legislative Rule and Law Changes:**

Chief Rueben reviewed the police reforms enacted at the recent Oregon special legislative session.

SB 1604 - Related to arbitration awards: Chief Rueben reviewed the legislation related to arbitration in officer misconduct cases creating more consistency across agencies. There was discussion about the effect of the legislation on decisions related to Oregon Department of Public Safety Standards and Training (DPSST) certification.

HB 4201A - Related to the use of force by police officers: Chief Rueben reviewed the legislation related to policy oversight of use of force. He described this as a duplication of many processes that are already in place. There was discussion about DPSST certification review meetings, the importance of transparency and the value of policies being improved.

HB 4203A - Choke hold ban: Chief Rueben noted that this legislation bans both use of choke holds and carotid pressure on throat or neck. He described levels of force and the evolution of levels of use of force such as tasers in recent years. He described the statewide policy review mechanism and changes that will be made at the state level and distributed down to agencies. There was discussion about the Philomath PPD policy related to choke holds, Policy #300.3.4. Ms. Post noted that the full policy manual is posted on the Police Department's Accreditation page on the City's website.

HB 4205A - Duty to intervene and report: Chief Rueben reviewed the existing Philomath PPD policy that addresses this issue, Policy #300.2.1. He noted the addition of a time constraint in the new legislation but that the requirement has been in the statewide policy manual for decades.

HB 4207A - Officer suspension & revocation database: Chief Rueben explained the database already exists but adds summary information to the publicly accessible database. There was

discussion about the documentation involved in the process of leaving an agency and the background check for hiring by another agency. There was discussion about the interstate coordination of disciplinary information.

HB 4208A - Use of tear gas: Chief Rueben described the clarification of the rules and noted that Philomath does not use tear gas.

There was discussion about the two available police department accreditations and the higher expense associated with the Commission on Accreditation for Law Enforcement Agencies (CALEA) that Corvallis and Albany have, compared to the Oregon Accreditation Alliance (OAA) that Philomath has. He described the substantial staffing requirements that those cities have dedicated strictly to maintaining CALEA accreditation. There was discussion about providing the full City Council with more information about the accreditation requirements and process. Chief Rueben described the additional process required of accredited agencies in reviewing any use of force incidents. There was discussion about the intensive process involved in annual review of all policies, including examples of police reports, and the accreditation process.

There was brief discussion about comments made by a citizen at the July 13 City Council meeting regarding a recent observation of a patrol officer. There was discussion about actual misconduct and perceived misconduct. There was discussion about the multiple types of scenarios where an officer may be parked on a street.

**Personnel Update:**

Chief Rueben reported that the officer that was attending the Police Academy at the time of the original COVID-19 outbreak is now back at the Academy. He noted some of the changes that have occurred to ensure social distancing and training that may have to be conducted under different conditions.

**COVID-19 Update:**

Chief Rueben reviewed the current officer expectations related to wearing masks in different scenarios, including traffic stops, while patrolling, and in emergency responses. He noted that calls have been received reporting people not wearing masks, but the department is following the direction of the Governor's office not to cite for the offense. There was discussion about using OSHA in addressing business compliance and steps taken with customers who refuse to wear masks. There was discussion about members of the department who have been tested for COVID.

Chief Rueben added that use of force is reported to the FBI. There was discussion about the purpose of the Committee and the benefit to the committee members in having more in-depth knowledge of the Department's workings. There was discussion about the importance of transparency and the benefits of accreditation. There was discussion about the passage of the Inclusivity Resolution at the July 13th City Council meeting.

Meeting adjourned at 4:30 p.m.

Next meeting: September 15, 2020.

Recorded by: Ruth Post, MMC, City Recorder