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**LANE COUNTY SHERIFF'S OFFICE**  
**NEWS RELEASE**



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**DATE/TIME OF RELEASE:**            2/13/2017    9:30 am

**NATURE OF STORY:**                    Sheriff Trapp Writes a Letter to the Community Regarding  
Recent Bias Based Profiling Accusation and Investigation

On January 14<sup>th</sup>, 2017, the Lane County Sheriff's Office received information that a community member had accused a deputy of racial profiling during a traffic stop that occurred that evening. The accusation garnered media attention, to which the office was not able to comment on during the time as the investigation was still active.

The accusation was investigated and determined to be unfounded. Sheriff Byron Trapp believes that the community deserves to know the facts and details of the incident due to the nature of the accusation, and has released the below letter to the community members of Lane County.

Sheriff Byron Trapp will be available for interview today, February 13, 2017, at 11:30 am at the Sheriff's Office located at 125 E. 8<sup>th</sup> Avenue in Eugene.

# Lane County Sheriff's Office

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Byron M. Trapp, Sheriff



February 13, 2017

To Lane County Citizens:

Last week a community member publicly asserted she was the subject of bias based police contact by a Lane County Sheriff's Office deputy sheriff.

Eliminating bias based policing is of great importance to me and the men and women of the Sheriff's Office. When bias based policing occurs in a community it is damaging to the whole community. It is damaging to the person(s) victimized by the unlawful actions of law enforcement in those encounters. It is damaging to the families and loved ones targeted. It is damaging to law enforcement, as it undermines the public trust necessary for effective law enforcement and public safety. Bias based policing is unacceptable and should not be tolerated. It should not be tolerated by any community and it should not be tolerated by law enforcement. In this, I whole-heartedly agree with the complainant.

Occasionally, members of law enforcement make mistakes, behave inappropriately, and worse. Members of the Lane County Sheriff's Office are not immune from this. When this Sheriff's Office falls short of community expectations it is my responsibility, as your sheriff, to acknowledge our shortcomings and to promptly correct the deficiency. This is not one of those occasions. Our deputy sheriff in this case acted appropriately, professionally, and within policy and the law. I, without reservation, support his actions and conduct in his interaction with the complainant during an investigative traffic stop which occurred in the evening of January 14<sup>th</sup>.

The Sheriff's Office has long had policies that allow for anyone to make a complaint on any employee for any reason. Complaints of bias based profiling have always been possible at the Sheriff's Office. House Bill 2002, passed in the Oregon Legislative Assembly—2015 Regular Session, requires all Oregon law enforcement agencies have written policies and procedures prohibiting profiling. In response to HB 2002, the Lane County Sheriff's Office has a written policy specifically prohibiting bias based profiling which includes procedures allowing a complaint alleging bias based profiling to be made to the Sheriff's Office and for the investigation of such complaints. The Sheriff's Office issued General Order 7.45; Bias Based Profiling on September 21, 2015, months ahead of the statutory deadline for implementing the required policy as outlined in HB 2002. As is standard practice, Sheriff's Office General Order 7.45 was subjected to legal review prior to implementation to ensure compliance, conformance and consistency with local state and federal law; to include HB 2002. Additionally, this General Order was recently assessed by the Oregon State Sheriff's Association legal counsel and found compliant with and conforming to HB 2002. The Sheriff's Office has been tracking bias based profiling complaints since September 2015 and this is the first such incident reported.

One of the benefits of HB 2002 is that it provides alternative methods to our citizens on how or where to file complaints of bias based policing. I am fully supportive of complaints being filed with the Law Enforcement Contacts Policy and Data Review Committee (LECC), established per HB 2002, if that is the preference of the complainant. Open avenues of grievance are always a benefit to the community and help hold government accountable and I support the complainant's decision to file a complaint with the state. However, the complainant's statement that they are unable to file a complaint with the Sheriff's Office because we are not compliant with the law is baseless.

A deputy sheriff did contact the complainant by stopping the car they were driving on the evening of January 14<sup>th</sup>. The deputy contacted the complainant based on a report he received that her vehicle matched the description of a vehicle being operated by a burglary suspect in a case he was investigating. The burglary victim had earlier called the deputy's cell phone and told him the suspect was at a pizza parlor in Eugene and operating a black Lexus. The deputy went to the pizza parlor and located a vehicle, as described by the burglary victim, parked in the pizza parlor parking lot. Due to the full evening darkness, factory window tint and no internal lighting the deputy could not determine if the car was occupied. As the deputy attempted to park his patrol car, he saw the Lexus leave the parking lot onto the street. The deputy did not see anyone come or go from the vehicle before it drove off. The deputy followed and observed the vehicle weaving within its lane and remained unable to see inside the vehicle to discern the number of occupants in the car, or if they matched the description of his burglary suspect. The burglary suspect is described as a petite white female.

The deputy radioed to dispatch a traffic stop of the Lexus, including the vehicle license plate number. Upon contacting the vehicle occupants, the deputy immediately recognized the burglary suspect was not present, noting all three occupants in the vehicle were African-American. The deputy contacted the driver, the complainant, and explained the purpose of his contact. The deputy did not run the driver or other occupants of the vehicle through a records check so as not to inconvenience the occupants further. His contact with the complainant lasted less than 4 minutes.

Within minutes of the deputy ending his contact with the complainant, she called Sheriff's Office dispatch inquiring about the basis of the traffic stop and stating she intended to file a complaint of racial profiling.

Bias based profiling is defined in Oregon law, under HB 2002, as; *"Profiling" means that a law enforcement agency or a law enforcement officer targets an individual for suspicion of violating a provision of law based solely on the real or perceived factor of the individual's age, race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, homelessness or disability, unless the agency or officer is acting on a suspect description or information related to an identified or suspected violation of a provision of law.*

The traffic stop and subsequent contact with the complainant and her passengers was appropriate, within policy, and lawful. The deputy followed policy in all aspects of his criminal investigation and in his contact with the complainant. This is, in fact, the type of proactive investigative efforts we appreciate in our deputy sheriffs. It solves crime.

The accusation of racially biased police contact made by the complainant to the local media is a truly unfortunate event for our community. It is unfortunate not because of the actions of a deputy sheriff, but because of the complainant's misleading and unsubstantiated statements about the interaction she had with the deputy and the Lane County Sheriff's Office. This kind of careless behavior is harmful and only serves to further divide our community.

I'm certain the complainant recognizes the importance of a sound investigation, which identifies factual information, and forms our judgement and decisions. I am sure that if the roles were reversed she would demand a thorough and fair investigation before being charged with extreme accusations of misbehavior. It is sad she doesn't feel this is important for others too.

We are in trying times as a nation and community regarding race relations and trust of our law enforcement. We all must work together for good and pursue solutions that strengthen our relationships, not continue to erode our support for each other and divide us.

The Lane County Sheriff's Office is committed to justice and integrity, sworn to protect and honored to serve the citizens of Lane County. It is a privilege to serve as your sheriff.

Very Sincerely,



Byron M. Trapp, Sheriff



## **Timeline of events related to Sheriff's Office Bias Based Profiling Policy**

- **July 13, 2015: House Bill 2002 signed by Governor (effective same date)**  
House Bill 2002 mandates that all law enforcement agencies have a bias based profiling policy complaint with this law.  
<https://olis.leg.state.or.us/liz/2015R1/Measures/Overview/HB2002>
- **NLT September 21, 2015: Lane County legal counsel affirms policy compliance.**  
General Orders are reviewed by Lane County legal counsel prior to issue to ensure compliance, conformance and consistency with local state and federal law.
- **September 21, 2015: Bias Based Profiling policy goes into effect.**  
Sheriff's Office General Order 7.45; Bias Based Profiling issued per House Bill 2002.
- **January 31, 2017: OSSA Legal Review confirms policy compliance.**  
Legal review by Oregon State Sheriff's Association legal counsel confirmed Sheriff's Office General Order 7.45; Bias Based Profiling is compliant with and conforms to House Bill 2002.

## **Timeline of events related to Sheriff's Office contact with the complainant**

- **March 4<sup>th</sup>, 2016:** The involved deputy sheriff took a burglary report from Clear Lake Rd, with a known suspect. The suspect was described as a white female, with dark hair and a petite build.
- **January 14<sup>th</sup>, 2017**
- **@ 5:32 pm:** The deputy is dispatched to a Violation of Restraining Order call.
- **@ 6:52 pm:** While the deputy is still on the above call, the burglary victim called the deputy's cell phone and left a message advising they had information where the burglary suspect was at that time.
- **@ 7:11 pm:** The deputy arrives in the City of Coburg to attempt to contact the suspect from the above call.
- **@ 7:18 pm:** The deputy clears from the above call (Violation of Restraining Order).
- **@ 7:28 pm:** The deputy returned the burglary victim's call and spoke with her. The burglary victim told the deputy the burglary suspect was currently at Papa's Pizza on Coburg Rd. in a black Lexus. No further vehicle description was provided.

- **@ 7:38 pm:** The deputy went to Papa's Pizza on Coburg Rd. (Eugene) to attempt to locate the burglary suspect. The deputy found a black Lexus parked in a parking stall with the running lights on. Due to the full evening darkness, factory window tint and no internal lighting the deputy could not determine if the car was occupied. As he was attempting to park, the deputy saw the Lexus leave the parking lot onto Coburg Rd. The deputy did not see anyone come or go from the vehicle before it drove off. The deputy followed and observed the vehicle weaving within its lane and remained unable to see inside the vehicle to discern the number of occupants in the car, or if they matched the description of his female suspect.
- **@ 7:38 pm:** The deputy radioed to dispatch a traffic stop of the Lexus on Coburg Rd. near Chad Dr. (the deputy included the vehicle license number in his radio call). When the dispatcher gave the vehicle return the deputy updated the location of the traffic stop to be at Coburg Rd. near Crescent Ave. Before making contact with the driver, the deputy shined his flashlight inside the car to determine the number of occupants and if a person matching the burglary suspect's description was in the vehicle. The deputy immediately recognized the burglary suspect was not present, noting all three occupants in the vehicle were African-American. The deputy contacted the driver, the complainant and explained he observed her car weaving within the lane, consistent with a possible impaired driver. The Deputy further explained to the complainant he was looking for a burglary suspect but now could see no one in the vehicle matched the description. The deputy did not run the driver through a records check so as not to inconvenience the occupants further.
- **@ 7:42 pm:** The deputy radioed dispatch advising clear from the traffic stop.
- **@ 7:49 pm:** The complainant called Sheriff's Office dispatch inquiring about the basis of the traffic stop.
- **@ 8:07 pm:** The complainant makes a second call to dispatch with additional inquiries about the traffic stop. The dispatcher provides the complainant information available to them at the time. The complainant informed the dispatcher she intended to file a complaint for racial profiling by the deputy. The dispatcher told the complainant the on-duty sergeant would be given a message to call her regarding her complaint.
- **@ 10:09 pm:** The on-duty sergeant responded to the complainant's residence as he felt it would be best to speak with the complainant in person. The sergeant knocked on the complainant's door but received no response. The sergeant then called the complainant's phone and left a message saying he was trying to speak with her about her complaint. The sergeant did not receive a response from the complainant after leaving her a message.
- **February 07, 2017:** After several attempts to contact the complainant, she advised the Sheriff's Office she wanted no further contact regarding her complaint.

- **February 13, 2017**: News Release published. Regardless of the fact the Sheriff's Office has not received a formal complaint on this matter; a full investigation has been conducted so factual information can be provided to the community.

