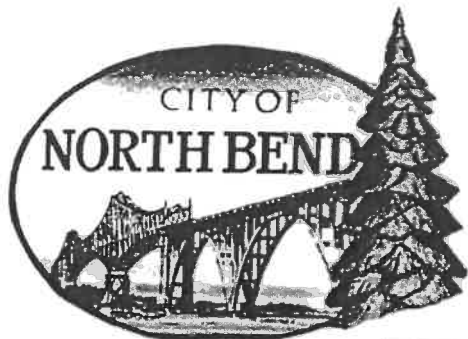




Police Department

City of North Bend

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August 27, 2021

Attorneys Jane Stebbins, Mike Stebbins, and Senior HR Consultant Kurt Chapman:

We are writing this letter to make you aware of conditions within the police department that cause us grave concern. We don't know where else to turn for help. We considered a letter to Mayor Engelke and Council President Richardson, but our intent is not to circumvent the chain of command. All efforts to inform or gain help from the City Administrator have been ignored or grossly misrepresented. We are writing to help you understand how dire the situation is and hope that you will work with us to improve conditions. We trust that you will share this information with appropriate persons who can help move us forward.

We are seeing warning signs of significant problems within the police department. Collectively, your two police administrators have nearly sixty years of police experience, almost a decade of higher education, three police executive command college certifications, and forty-four years of police supervisory experience. What we are experiencing is unprecedented in our careers.

Understaffing. At the root of the issues is understaffing. Warning signs that we were beginning to experience in 2016 (refusal of voluntary overtime, delayed required investigative paperwork, incomplete investigations, inadequate discretionary patrol time, inability to use benefit days off, etc.) are now multiplied and magnified under the lowest staffing conditions in nearly a half-century in the North Bend Police Department. The impacts of this understaffing not only result in poor service to the public, but they create significant risks to liability for the City.

Community Policing is Nonexistent. *Community Policing* is a concept that simply demonstrates the value of positive relationships between the community and the police. It is founded in the ability of officers to be customer-responsive and have positive educational interactions during calls for service, as well as during proactive engagements in the community.

It is the foundation of trust on which everything that we do is built. It is the reason people report problems to us. It is the reason citizens come to our aid when needed. It is the reason communities stay safe and connected. It is currently nonexistent in North Bend.

Our officers, telecommunicators, support staff, and administrators no longer have the ability to have these positive interactions because the workload is so heavy. In fact, as you know, we are actively working to reduce interactions with the community to try to create more time for critical tasks. Every interaction that we eliminate leads to a reduction in the community's trust in their police department. Every delayed callback reduces trust. Every call now handled through a citizen self-report form rather than with a positive interaction with a friendly officer reduces trust.

One does not need to look far to see the impacts of a community that does not trust their police department...Ferguson, Minneapolis, Seattle, Portland, New Orleans, Kenosha, etc. Let's not add North Bend to that list. We need to have the ability to interact and develop trust in our community and we need staff to have the time to do so!

Rampant Overtime. We've attached the last three submissions for the City Administrator's report. You can see the overtime amounts the staff of this department is carrying. Individual officers are working as much as sixty (60) hours of mandatory overtime in a two-week period. Telecommunicators are regularly working ten to twelve days of 12-hour shifts in a row. Investigators, officers, telecommunicators, support staff, and administrators are working exorbitant hours in an attempt to get on top of caseloads and yet are still failing to do so.

These massive overtime hours are not just about the workload we are trying to reduce. Many simply fill vacant shifts so that two officers are working. We discussed at length over the past few years how vital it is to the safety of the staff here to have a minimum staffing of two officers. However, those two officers can be quickly and are regularly overwhelmed with calls for service. As a result, we are experiencing delayed responses in life safety situations. Almost every single shift is now staffed at only two officers. Each of those two officers is likely working up to 15 hours per shift. Many are working on their days off. Other shift schedules would create overtime shifts of 18 hours and should not be considered.

Telecommunicators, a citizen's first point of contact, are working 12-hour shifts for nearly two weeks in a row. A reduction from six to five during the last budget process was explained to be an unsustainable number. A long-term worker's compensation issue has removed another telecommunicator. Four are now carrying the load of six. Yesterday, one of those four developed a medical issue removing her from the schedule for at least the next ten days. Even a regular customer with significant mental illness called today and when our dispatcher answered, he said, "Wow, you work a LOT!"

This department *must* be staffed with the understanding that members will need to use some benefit leave time off, will develop sicknesses and injuries, and will have critical incidents that require additional personnel. Operating at the bare minimum on a permanent basis creates unsafe and unhealthy working environments. These conditions are leading to problems that should cause all of us in administration concern.

Work/Life Imbalance. The impacts of this overtime and workload are causing problems with our personnel. Daily, the supervisory staff of this agency are counseling staff about anger issues, depression, anxiety, relationship problems, and sleeplessness. They are not getting their regular days off. They are not getting their benefit leave days off. They are not even getting their off-time on their normal workday. This work/life imbalance is taking a significant mental and physical toll on our staff and it is manifesting in multiple ways, at work and at home.

We lost an officer this year to PTSD. We currently have a telecommunicator out on another PTSD claim. We have another telecommunicator who has indicated she is having neurological issues that she indicates her doctors have said is due to multiple stressors occurring at once. She has not yet filed a worker's compensation claim, but today she is working day nine of a twelve-day run of 12-hour shifts. How will we defend a claim that work was a contributing factor to her stress?

We don't have to tell you that these people are responsible for making significant decisions...decisions to take away people's freedoms, decisions involving emergency medical care, decisions to use force...maybe deadly force. We have criminal elements operating in our community that are shocking. Our people must be performing at their best. We *must* care enough about our staff to allow them proper rest and recuperation so that they can function at the capacity demanded by this job! We are not currently doing so.

Lack of Training. You know that training is essential to professional policing and is critical to reducing liability risk. With staff already working maximum hours and grossly underwater on keeping up with workload, training hours cannot be manufactured. Oregon's law enforcement certifying agency (DPSST) requires minimum training hours in several disciplines in order for officers and telecommunicators to stay certified. Our department replaced nearly all in-person training with on-line training due to Covid-19 and the inability to spare personnel from the shift schedules for training. Under current conditions, staff are having difficulty even completing on-line training. In fact, workloads are so great, all future training has been suspended until workloads decrease. We are deeply concerned that our department will not meet minimum training hours required to maintain certification.

Having as our training goal to meet *minimum* requirements is deplorable. Now, more than ever, it is critical that our staff is educated and well-trained to cognitively sort their way through the complex issues they are required to address.

Recruitment, Retention, and Position Creation/Elimination. Recruitment for law enforcement positions, particularly telecommunicator positions has been difficult for more than a decade. We are fortunate that our eligibility list for police officer positions still has interested quality applicants, but our telecommunicator pool is nonexistent. We had *no applicants* during the last advertisement. We are hoping for at least one applicant in the current recruitment that includes a \$5,000 hiring bonus for lateral applicants. However, we live in a small town and word has already spread that our police department is not supported. Who will be willing to leave a secure position for a position advertised as a “long-term temporary” position in a department that they hear is not supported? We fear that without change, we will not only have continued difficulties recruiting new employees, but we will continue to lose valuable employees.

For seven years, we only had one voluntary resignation and that came from an officer who entered the religious ministry. However, since January of 2020, we have had three voluntary officer resignations and we are expecting a fourth within the next month. These officers are not leaving for advancement or promotions, they are leaving for lateral positions. Two are for departments that are significantly smaller in size, who pay much less than we do. These two officers cited mental health and lack of city support as their reasons for leaving. This should be a wake-up call for all of us. There was a time not so long ago that officers *wanted* to work for our department. Valuable officers from Coos Bay were seriously contemplating a move to our department. One moved from a seventeen year job and his life-long home in the Midwest to take a position with our agency. We *must listen* to the reasoning of our departing employees. We must not ignore these departures. We invest significantly in our staff and valued employees voluntarily departing should cause us significant concern.

A position for a Community Service Officer (CSO) was created for our department *without input from or knowledge of police administration*. At this time, we do not have the capacity to answer our current responsibilities. To add code enforcement and parking does not help us.

Additionally, the back-up hours necessary to aid in dispatch will consume the majority of the time this CSO works. The City has yet to advertise for this position and we are doubtful that we will find applicants who will possess the unique skills this position would require. Not to mention that it has been suggested that this person could handle enforcement of the camping ordinance. *If* we were to find a CSO applicant, it would likely be an inexperienced person looking to enter the field of law enforcement. Do we want to take someone that green and put them in a position to interact one-on-one with people who are regularly armed and suffer from mental illness and/or substance abuse? We need sworn officer positions.

During the budget process, Captain Bennett and I were given the option of eliminating one of our two support staff. When asked if there would be *any consideration* to keep a full-time equivalent, the answer was a definitive “no.” Given the circumstances, we offered the only position that was currently vacant, a sergeant position who was out on a worker’s compensation claim and not expected to return. We could not and cannot lose either one of the two support staff we have. They are critical to the operations of this department and losing either one would put this department and city in crisis for records and evidence management and release. The fact that either one of these was viewed as expendable without our input is unconscionable. The fact that *any position* in the police department is expendable is unconscionable.

Solutions. The information shared above does nothing if we don’t create a plan for clear and definitive action going forward. A failure to act on the current conditions would be irresponsible and negligent. We have developed a plan to create hope for a better and more sustainable future for our department.

1. Convert the CSO position to a sworn officer position immediately. The City budgeted this position at a full-time dispatch wage. The position has yet to be advertised and therefore creates substantial savings in unspent salary. We also have a full-time telecommunicator position that is not being paid and therefore have unused salary from that position. Restoring a sworn officer position will greatly reduce overtime expenditures. Unused salaries and overtime savings should cover the cost of a starting officer’s salary for the remainder of FY21-22.

Additionally, we have at least two ready and willing local applicants on our police officer eligibility list. While training would be necessary, they could be quickly brought on board. Both are or have been reserve officers for our department in the past, so training can be accomplished efficiently. Both are excellent candidates.

2. Restore dispatch staffing and work toward a joint dispatch center. We all know that a joint center is the best and most efficient way to operate a dispatch center in our area. Thirteen prior failures to combine dispatch under one of the three agencies should be the tell-tale sign that a separate entity must be formed through a separate taxing district.

In the absence of such a cooperative effort, our dispatch center must be supported appropriately. We could operate with five telecommunicators if we had the opportunity to use one of our sworn officers who still maintains his telecommunicator certification. However, due to our officer staffing level, we cannot afford to break him from his patrol shifts. Accomplishing #1 and #3 in this

plan, afford us the opportunity to use that officer and his certification to relieve the current stress on dispatch.

3. Restore Two Additional Sworn Positions in FY22-23. We have no plans to try to restore our department to the twenty-two sworn positions we had in FY19-20. However, we believe that in combination with changed approaches to call servicing, nineteen sworn positions will allow us to handle the workload and get on top of serious investigations that we haven't yet begun to investigate. These positions are needed in order to restore our ability to both train our staff and allow for them to use benefit leave in order to restore some sense of balance in their lives and perform their duties safely.

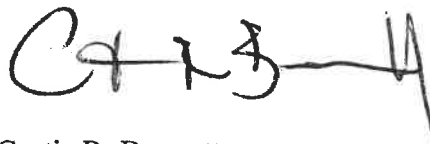
Captain Bennett and I care deeply for this City and this Department. For many years, we worked diligently to implement best practices to provide the most professional police department possible. Nearly every condition under which we are operating right now is a known precursor to burnout, workplace injury, recruitment/retention problems, and ethics violations. You know the liability these issues carry for the City.

This letter is our last best effort to help you understand how dire the situation is within our police department. We cannot continue under the current conditions. We are pleading with you to please help us immediately address these issues and provide hope for a brighter future.

Respectfully,



Robert F. Kappelman
Chief of Police



Curtis R. Bennett
Captain of Police