

REPORTERS COMMITTEE

FOR FREEDOM OF THE PRESS

1156 15th St. NW, Suite 1020
Washington, D.C. 20005
(202) 795-9300
www.rcfp.org

Bruce D. Brown
Executive Director
bbrown@rcfp.org
(202) 795-9301

STEERING COMMITTEE CHAIRMAN

STEPHEN J. ADLER, *Reuters*

STEERING COMMITTEE MEMBERS

J. SCOTT APPLEWHITE

The Associated Press

WOLF BLITZER

CNN

DAVID BOARDMAN

Temple University

THEODORE J. BOUTROUS, JR.

Gibson, Dunn & Crutcher LLP

MASSIMO CALABRESI

Time Magazine

MANNY GARCIA

ProPublica

EMILIO GARCIA-RUIZ

San Francisco Chronicle

JOSH GERSTEIN

POLITICO

ALEX GIBNEY

Jigsaw Productions

SUSAN GOLDBERG

National Geographic

JAMES GRIMALDI

The Wall Street Journal

LAURA HANDMAN

Davis Wright Tremaine

DIEGO IBARGÜEN

Hearst

KAREN KAISER

The Associated Press

DAVID LAUTER

The Los Angeles Times

MARGARET LOW

WBUR

JANE MAYER

The New Yorker

COLLEEN MCCAIN NELSON

The McClatchy Company

MAGGIE MULVIHILL

Boston University

JAMES NEFF

The Philadelphia Inquirer

NORMAN PEARLSTINE

The Los Angeles Times

THOMAS C. RUBIN

Stanford Law School

CHARLIE SAVAGE

The New York Times

JENNIFER SONDAK

Bloomberg News

NABIHA SYED

The Markup

ADAM SYMSON

The E.W. Scripps Company

PIERRE THOMAS

ABC News

SAUNDRA TORRY

Freelance

VICKIE WALTON-JAMES

NPR

JUDY WOODRUFF

PBS/The NewsHour

HONORARY LEADERSHIP COUNCIL

CHIP BOK

Creators Syndicate

DAHLIA LITHWICK

Slate

TONY MAURO

American Lawyer Media, ret

ANDREA MITCHELL

NBC News

CAROL ROSENBERG

The New York Times

PAUL STEIGER

ProPublica

*Affiliations appear only
for purposes of identification.*

July 21, 2021

Patricia W. Perlow

Lane County District Attorney

125 East 8th Avenue, Rm. 400

Eugene, Oregon 97401

patty.perlow@lanecountyor.gov

VIA EMAIL ONLY

RE: Public Records Petition of Eugene Weekly and Ardy Tabrizian

District Attorney Perlow:

I represent Eugene Weekly and its reporter Ardy Tabrizian (“Petitioners”) in connection with this petition contesting the denial of a public records request.

On April 28, 2021, Petitioners submitted to the Eugene Police Department (“EPD” or “Respondent”) a public records request for body worn camera (“BWC”) video in connection with a specific incident that occurred in March of 2020. Respondent denied the Request in violation of Oregon Public Records Law, ORS 192.311 *et seq.* (“OPRL”).

I. Facts

On March 27, 2020, EPD officers responded to a call from a woman whose husband, Landon Payne, was having a mental health crisis. According to the Computer Aided Dispatch (“CAD”) event report, the woman specifically asked dispatch to send Crisis Assistance Helping Out On The Streets (“CAHOOTS”), a mobile crisis intervention team. When told that police would be responding instead, she expressed concern about “police brutality.”¹ The CAD indicates the first officer arrived at 21:36, and Mr. Payne was in custody approximately forty-five minutes later.

EPD Officers Solorio, Roberts, Thomas, and Griesel each wrote reports about their contact with Mr. Payne on March 27, 2020.² It appears from those reports that only Officers Solorio and Thomas recorded BWC video of this incident.

According to their reports, Officers Solorio and Roberts spoke to Mr. Payne, and Officer Thomas spoke to Mr. Payne’s wife. At some point during those

¹ Exhibit 1.

² Exhibit 2.

conversations, CAHOOTS arrived on scene and also spoke to Mr. Payne. It is unclear how long the conversations continued, but the officers eventually decided to arrest Mr. Payne on an outstanding contempt warrant related to a child support case.

Officer Solorio wrote that Mr. Payne “screamed and yelled uncontrollably” as all three officers tried to place handcuffs on him.³ Officer Roberts wrote that he and Solorio “took Landon to the ground,” attempted to use “control holds on Landon’s arms,” and “restrained Landon by the head.”⁴ Officer Thomas wrote that he deployed a Taser resulting in barbs lodging in Mr. Payne’s buttocks and upper thigh. Officer Thomas then utilized the Taser as a “drive stun pain compliance device” delivering a total of four cycles against Mr. Payne while kneeling on Mr. Payne’s legs.⁵

Officer Solorio transported Mr. Payne to the Lane County jail. A detective who later viewed Officer Solorio’s In-Car Video (ICV) described Mr. Payne as “scream[ing], hyperventilat[ing] and thrash[ing] around throughout the transport.”⁶ Mr. Payne died less than forty-eight hours later.

The BWC video of the incident was reviewed by the Lane County Medical Examiner as well as the detective investigating Mr. Payne’s subsequent death.⁷ The Lane County Medical Examiner determined Mr. Payne’s cause of death to be “anoxic encephalopathy due to resuscitated cardiopulmonary arrest during restraint by law enforcement.”⁸

II. The Request⁹

On April 28, 2021, Petitioners submitted a request for public records through Respondent’s designated electronic system. In relevant part, the Request sought all BWC video associated with EPD Case No. 20-05537.¹⁰

III. Respondent’s Response

On May 6, 2021, Respondent denied the Request, stating as follows: “Pursuant to ORS 192.345(40) the City does not provide Body Worn Camera video.”¹¹

³ Exhibit 2 at 5.

⁴ *Id.* at 7.

⁵ *Id.* at 10–11.

⁶ *Id.* at 15.

⁷ *Id.* at 14.

⁸ *Id.* at 30.

⁹ In addition to body camera footage, Petitioners also requested police and CAD reports; Respondent fulfilled that portion of the Request. Petitioners also requested ICV from the incidents which Petitioners have not received, but that portion of the Request is not at issue in this petition.

¹⁰ Exhibit 3.

¹¹ Exhibit 4.

IV. Petitioner's Argument

- a. Respondent's denial, evidencing a blanket policy of non-disclosure, violates Oregon law.

Under Oregon law, every public record of a public body is subject to inspection, except as expressly provided in ORS 192.345 and 192.355. All the exemptions to disclosure set forth in ORS 192.345 are conditional: they exempt certain types of information from disclosure “unless the public interest requires disclosure in the particular instance.” For any of the conditional exemptions, “public bodies must always apply a balancing test on a case-by-case basis.”¹²

Disclosure of BWC video is governed by ORS 192.345(40). That provision renders such recordings “conditionally exempt.” As your office recognized in an October 3, 2018 Public Records Order discussing audio and video recordings, the determination of whether a BWC video must be disclosed “requires a balancing of the public interest against the interest that is intended to be protected by non-disclosure. Further, this balancing must be conducted under the overall umbrella of the presumption of disclosure.”

Respondent did not apply that balancing test here. Indeed, Respondent's denial of the Request—that EPD categorically does not provide BWC video—is facially invalid because the agency did not conduct any case-specific analysis whatsoever. Further, the blanket denial appears to violate Respondent's own BWC policy, which requires the Public Records Coordinator to “follow release guidelines in the Oregon Public Records Law.”¹³

For the foregoing reasons, you should declare Respondent's denial of the Request a prima facie violation of the OPRL.

- b. The public interest requires disclosure of the BWC video requested by Petitioners because it documents police and CAHOOTS interactions with a person in mental health crisis against whom officers used serious force.

The public interest in the transparency of government operations is particularly significant when it comes to the operations of its police department. Trust between law enforcement agencies and the people they protect and serve is essential in a democracy. One way to promote that necessary trust is to make police practices and procedures transparent, a concept known in 21st Century Policing as “trust and legitimacy”.¹⁴

The public interest in oversight of use of force is especially strong. In *ACLU of Oregon, Inc. v. City of Eugene*, the Oregon Supreme Court held that the public's interest in

¹² [Oregon Attorney General's Public Records and Meetings Manual](#) at 51 (June 2019).

¹³ [Policy 1203 Body-Worn Video](#), *Eugene Police Department Policies* at 1203.8.2 (January 19, 2018).

¹⁴ See Message from Chief Chris Skinner, [Eugene Police Department 2020 Annual Report](#) at 7 (“I want to emphasize the first pillar of 21st Century Policing, which is Trust and Legitimacy.”)

monitoring public officials’ performance of their duties includes an interest in “ensuring the appropriate use of force and, in particular, Tasers by law enforcement.”¹⁵ The Court recognized that for the public safety system to work effectively “the public must trust that officers are using their authority legitimately, and officers must trust that the people they stop will respond appropriately.”¹⁶ Accordingly, the public interest is well-served by disclosure of BWC video depicting the circumstances surrounding a police use of force.

The public also has a significant interest in the disclosure of information about police response to persons experiencing a mental health crisis, particularly when police are assisted by a mobile crisis intervention team. Oregon recently enacted legislation to expand mobile crisis intervention teams statewide “in recognition that, historically, crisis response services placed marginalized communities at disproportionate risk of poor outcomes and criminal justice involvement.”¹⁷ In June of 2020, the Eugene City Council and Mayor issued a statement supporting a re-examination of their police and noting that “our partnership with CAHOOTS is being cited as an example to cities across America.”¹⁸ EPD Chief Chris Skinner described Respondent as having taken a “leadership role . . . in our industry, not only in our state but on a national level” regarding police reform.¹⁹ And according to the White Bird Clinic that manages the program, CAHOOTS “has been in the spotlight recently as our nation struggles to reimagine public safety.”²⁰

CAHOOTS is funded with public dollars²¹ and mobilizes two-person teams consisting of a medic and a crisis worker. According to White Bird, “CAHOOTS staff are not law enforcement officers and do not carry weapons; their training and experience are the tools they use to ensure a non-violent resolution of crisis situations.”²² The requested BWC video documents police and CAHOOTS interactions with a person in mental health crisis. That alone provides a sufficient basis for concluding that disclosure of the BWC video sought by Petitioners serves the right of the public to “monitor what [its] officials are doing on the job.”²³ The Medical Examiner’s determination that “restraint by law enforcement” was a factor in Mr. Payne’s death provides an additional reason for requiring disclosure. The Medical Examiner reviewed the BWC video and other materials to form an opinion about the cause and manner of Mr. Payne’s death. The public has a significant interest in understanding the basis for the Medical Examiner’s determination, and disclosure of the BWC video will allow the public to do so.

¹⁵ *ACLU of Or., Inc. v. City of Eugene*, 360 Or. 269, 276–77 (2016) (upholding trial court’s finding that public interest in monitoring public officials’ performance of their duties was served by disclosure of information regarding a specific officer’s use of a Taser).

¹⁶ *Id.* at 298.

¹⁷ [2021 OR Enrolled H.B. 2417](#), *Oregon Eighty-First Legislative Assembly—2021 Regular Session* at 2.

¹⁸ Black Lives Matter Statement: June 2020, [Ad Hoc Committee on Police Policy Report to Council](#) at 3 (April 2021).

¹⁹ Message from Chief Chris Skinner, [2020 Annual Report Eugene Police Department](#) at 7.

²⁰ *What is CAHOOTS?* (October 29, 2020), <https://whitebirdclinic.org/what-is-cahoots/>.

²¹ [Personal Service Contract between the City of Eugene and White Bird Clinic](#), Exhibit C (executed June 27, 2019).

²² *What is CAHOOTS?* (October 29, 2020), <https://whitebirdclinic.org/what-is-cahoots/>.

²³ *In Defense of Animals v. OHSU*, 199 Or. App. 160, 176 (2005).

The public interest requires disclosure of the BWC video documenting Respondent and CAHOOTS management of a mental health crisis and Respondent's use of force.

- c. A complete fee waiver for the requested record is in the public interest because making the requested BWC video available primarily benefits the general public.

The public's interest in monitoring the conduct of public servants as well as transparency in police operations is at its apex in this case. In addition, Respondent's blanket denial of the Request violates the OPRL on its face. For those reasons, Petitioners are entitled to a complete waiver of any fees associated with fulfilling their Request.

Waiving fees is in the public interest "when the furnishing of the record has utility—indeed, its greatest utility—to the community or society as a whole."²⁴ Eugene Weekly is a free weekly paper available in print and online. It can "meaningfully disseminate the information" and thus disclosure will primarily benefit the public.²⁵

In addition, the Request is narrowly tailored to two or more BWC recordings approximately one hour in length. A fee waiver in this case would not burden the public body, a municipality with significant resources. Imposition of a fee, however, would impede the public interest by making disclosure dependent upon Petitioners' ability to pay. Eugene Weekly largely relies on entertainment and event advertising to fund its operations, and the COVID-19 pandemic resulted in the cancellation of "almost all events" resulting in a significant loss of advertising revenue.²⁶ The imposition of even a modest fee will likely result in Petitioners being unable to obtain public records where disclosure is clearly in the public interest and would primarily benefit the public.

V. Conclusion

For the reasons stated herein, Petitioners respectfully request that you issue an order:

- Declaring Respondent's blanket denial of Petitioners' Request a prima facie violation of the OPRL;
- Finding that the public interest requires disclosure of the requested BWC video;
- Disclosing all BWC video in Eugene Police Dept. Case No. 20-05537;
- Waiving all fees associated with Petitioners' Request.

Respectfully submitted,

²⁴ *Id.* at 189.

²⁵ [Oregon Attorney General's Public Records and Meetings Manual](#) at 24 (June 2019) (referring with approval to the fee waiver test articulated in *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309 (D.C. Cir. 2003)).

²⁶ Support Eugene Weekly 2021, *EugeneWeekly.com* (last visited July 20, 2021).
<https://support.eugeneweekly.com/>.

/s/ Ellen Osoinach

Ellen Osoinach
Counsel for Petitioners
REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS
6605 SE Lake Road
Portland, OR 97222
eosoinach@rcfp.org

cc. VIA EMAIL ONLY

Ben Miller, Assistant City Attorney
City of Eugene
bmiller@eugene-or.gov

Melinda McLaughlin, Director of Public Information
Eugene Police Department
MMcLaughlin@eugene-or.gov

Camilla Mortensen, Editor
Eugene Weekly
camilla@eugeneweekly.com

Ardy Tabrizian, Reporter
Eugene Weekly
ardytabrizian@gmail.com

User: CEPDMAK	EUGENE POLICE DEPARTMENT	03/31/2021 08:58:05
---------------	---------------------------------	---------------------

Event Report

Event ID: **20-079889** Call Ref #: 79 Date/Time Received: 03/27/2020 21:28:10

Rept #: 20-05537	Call Source : E911	Prime Unit : 5E21 SOLORIO, JAIRO	Service Involved			
			LAW	FIRE		
Location: 3832-BLK MEADOW VIEW DR X-ST: <i>WATERBROOK WAY</i> Jur: CAD Service: LAW Agency: EPD <i>QUAIL MEADOW WAY</i> St/Beat: EP01 District: EPDW RA: Business: Phone:						
Nature: DISPUTE		Alarm Lvl: 1	Priority: 3	Medical Priority:		
Caller: GILMOUR, JANICE			Alarm:	Call Taker: CEEYMGN		
Addr: 3832 MEADOW VIEW DR		Phone: [REDACTED]	Alarm Type:	Console: CEPOL217		
Vehicle:	St:	Report Only: No	Race:	Sex:	Age:	
Geo-Verified Addr: Yes		Nature Summary Code:	Disposition: ARR	Close Comments:		
Notes: MALE ACROSS THE ST YELLING THAT SOMEONE IS TRYING TO MURDER HIM TOO DARK FOR DESC TWO PEOPLE ON THE PORCH ACROSS THE ST ONE OF THEM IS THE ONE YELLING [03/27/20 21:29:07 CEEYMGN] OTHER INV IS JUST TRYING TO TALK TO SUBJ THAT IS YELLING [03/27/20 21:29:22 CEEYMGN] 2ND SUBJ JUST WENT INTO THE HOUSE [03/27/20 21:29:34 CEEYMGN] SUSP STILL YELLING AND NOW BEATING ON THE DOOR [03/27/20 21:29:42 CEEYMGN] C/ ADVISING CHILDREN ARE AT THE INV ADDR INSIDE, UNKN # OR AGES [03/27/20 21:30:28 CEEYMGN] ADDITIONAL C/ FROM 3829 MEADOWVIEW DR SAYS THAT HER HUSBAND IS ACTING CRAZY SAYING THAT HIS FAMILY IS GOING TO KILL HIM AND SCREAMING FOR HELP HUSBAND IS PAYNE, LANDON IS CURRENTLY OUTSIDE WM.36.601. LSW/BLK SHIRT. GRY PANTS POSSIBLY UNDER THE INFLUENCE OF METH, OR ALCOHOL [03/27/20 21:31:56 CEEYSFG] ADNTL C/ HAYWARD, KEITH PHO [REDACTED] IS HEARING SOMEONE AT THE CORNER OF 3845 SCREAMING MALE FOR HELP ANOTHER MALE IS TALKING TO HIM [03/27/20 21:32:24 CEEYDJB] ADDITIONAL C/ ANGELA [REDACTED] CHILDREN ARE INSIDE THE HOUSE ***C/ KEEPS ASKING FOR CAHOOTS** [03/27/20 21:32:26 CEEYSFG] ADTNC C/ THINKS SOMEONE IS BEING RESTRAINED BECAUSE SOMEONE IS SAYING I WANT TO GO BUT C/ ISNT SEEING ANYONE RUNNING [03/27/20 21:33:04 CEEYDJB] ADDITIONAL C/ ANGELA SAYS SHE WANTS POLICE TO BE CAREFUL SHE IS CONCERNED FOR POLICE BRUTALITY [03/27/20 21:33:19 CEEYSFG] ADNTL C/ ADVI NO MENTION OF WEAPONS C/ DOESNT RECOGNIZE THE VOICES ADVI IT HAS STOPPED NOW [03/27/20 21:33:50 CEEYDJB] HUSBAND/PAYNE, LANDON JAY PRIOR MENTAL HOLD [03/27/20 21:33:53 CEEYKMK] ADNTL C/ ADVI THEY ARE STILL THERE BUT NO LONGER YELLING [03/27/20 21:34:35 CEEYDJB] ADDITIONAL C/ S FATHER IS ATTEMPTING TO CALM LANDOND DOWN YURI LSW/ BLU SWEATER. GRY PANTS [03/27/20 21:34:43 CEEYSFG] HUSBAND/ UNCONF C5 OUT OF MARION CO, ***PAST FEL POSS WEAPONS, FEL POSS FIREARMS [03/27/20 21:34:58 CEEYKMK] ADNTL C/ MEGAN PHO/ [REDACTED] ADVI ONE SAYING "PLEASE DONT KILL ME" "PLEASE DONT HURT ME" [03/27/20 21:35:59 CEEYDJB] PER OPS CENTER, HUSBAND ADDR/3829 MEADOW VIEW DR [03/27/20 21:36:32 CEEYKMK] STILL HAVE LANDON'S WIFE ANGELA ON THE LINE ADVI ADDRESS IS 3829 MEADOWVIEW DR -- LANDON STILL OUTSIDE [03/27/20 21:37:24 CEEYSFG] NO KNOWN WEAPONS LANDOND DOESN'T NORMALLY CARRY ANY PER ANGELA [03/27/20 21:38:21 CEEYSFG] ANGELA WAS ADVISED THAT POLICE WOULD COME FIRST AND THEN CAHOOTS COULD COME -- ANGELA IS TELLING LANDON THAT CAHOOTS IS COMING [03/27/20 21:39:21 CEEYSFG] LANDON SAYING THAT SOMEONE THREATENED TO "CUT HIM INTO BITS" [03/27/20 21:39:45 CEEYSFG] LANDON, NOW ON THE LINE SAYING THAT HIS HOUSEHOLD WANTS HIM REMOVED [03/27/20 21:40:58 CEEYSFG] LANDON SAYS THAT HE TOOK DRUGS 3 DAYS AGO, DECLINES HAVING WEAPONS [03/27/20 21:42:10 CEEYSFG] LANDON WAS ADVISED TO WAIT OUTSIDE - THEN SAID SOMETHING ABOUT THIS BEING HIS RIDE AND DISCONNECTED THE LINE [03/27/20 21:42:45 CEEYSFG] ADDL C/ PAYNE, LANDON PHO/ [REDACTED] ADVI THAT THERE IS A DOMESTIC DISPUTE HAPPENING AT 3829 MEADOW VIEW DR REQ TO BE PICKED UP [03/27/20 21:43:55 CEEYCMM] ADDL C/ DISCONNECTED THE LINE AFTER SAYING SOMETHING ABOUT A BLK CAR [03/27/20 21:44:19 CEEYCMM]						

ORIGINAL C/ JANICE BACK ON THE LINE SAYS THERE IS A MALE AND FEMALE OUTSIDE AND THE MALE WAS ON HIS KNEES BEGGING JANICE UPSET ABOUT LACK OF RESPONSE -- ADVI OFFICERS ON SCENE [03/27/20 21:45:08 CEEYSFG]
 {5E21} RQ CAHOOTS FOR COUNSELING [03/27/20 21:59:22 CEEYALW]
 UDTs: {4X40} CODE 4 [03/27/20 22:02:19 CEEYALW]
 UDTs: {5K96} SUBJECT IN CUSTODY [03/27/20 22:21:09 CEEYMNv]
 {5K96} REQ X RAY UNIT [03/27/20 22:22:32 CEEYMNv]
 {5K96} C1 MEDIC [03/27/20 22:29:16 CEEYMNv]
 {5E21} C1 MEDICS ARE FOR TAZER DEPLOYMENT [03/27/20 22:33:10 CEEYMNv]
 [5E21-TRANSPORT] {5E21} W1 DSRDLY [03/27/20 22:48:00 CEEYALW]
 {5E21} NOTIFY LCJ [03/27/20 22:48:29 CEEYALW]
 LCJ NOTIFIED [03/27/20 22:51:56 CEEYYXS]
 JAIL RECORDS ON THE LINE ADVI THAT OFCR SOLARIO IS OUTSIDE REQ TO KNOW IF PAYNE HAS CHARGES OR IS JUST BEING LODGED ON THE WARRANT [03/27/20 23:03:56 CEEYSFG]
 {5E33} CUSTODY ALSO BEING CHARGED WITH RESISTING [03/27/20 23:04:55 CEEYJTZ]
 JAIL RECORDS ADVI [03/27/20 23:05:08 CEEYSFG]

Times

Call Received: 03/27/2020 21:28:10	<u>Time From Call Received</u>		
Call Routed: 03/27/2020 21:29:12	000:01:02	Unit Reaction: 000:06:35	(1st Dispatch to 1st Arrive)
Call Take Finished: 03/27/2020 21:29:12	000:01:02	En-Route: 000:06:35	(1st Dispatch to 1st En-Route)
1st Dispatch: 03/27/2020 21:30:14	000:02:04 (Time Held):	On-Scene: 006:17:07	(1st Arrive to Last Clear)
1st En-Route: 03/27/2020 21:36:49	000:08:39		
1st Arrive: 03/27/2020 21:36:49	000:08:39 (Reaction Time):		
Last Clear: 03/28/2020 03:53:56	006:25:46		

Radio Log							
Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
5E33	EPD1140	D	Dispatched	03/27/2020 21:30:14	Stat/Beat: EP03		CEEYMNV
5E21	EPD1148	D	Dispatched	03/27/2020 21:30:14	Stat/Beat: EP02		CEEYMNV
4X40	EPD635	D	Dispatched	03/27/2020 21:34:46			CEEYMNV
5K96	EPD603	D	Dispatched	03/27/2020 21:36:49			CEEYMNV
5K96	EPD603	E	En-Route	03/27/2020 21:36:49			CEEYMNV
5K96	EPD603	A	Arrived	03/27/2020 21:36:49			CEEYMNV
5K96	EPD603	L	Location Change	03/27/2020 21:37:10	3829 MEADOW VIEW DR		CEEYMNV
5E33	EPD1140	L	Location Change	03/27/2020 21:38:39	AYERS/MEADOWVIEW		CEEYALW
5E21	EPD1148	A	Arrived	03/27/2020 21:42:50			CEEYALW
4X40	EPD635	A	Arrived	03/27/2020 21:51:18			CEEYALW
5E33	EPD1140	L	Location Change	03/27/2020 21:51:30	3829 MEADOWVIEW		CEEYALW
5E33	EPD1140	A	Arrived	03/27/2020 21:51:30	MEADOWVIEW;5E33 5K96 A		CEEYALW
5K96	EPD603	A	Arrived	03/27/2020 21:51:30	MEADOWVIEW;5E33 5K96 A		CEEYALW
4J79	CAH986	D	Dispatched	03/27/2020 21:59:30			CEEYMNV
4X40	EPD635	C4	{4X40} CODE 4	03/27/2020 22:02:19			CEEYALW
4X40	EPD635	C	Cleared	03/27/2020 22:03:13	AO	AO	CEEYALW
4J79	CAH986	A	Arrived	03/27/2020 22:09:39			CEEYMNV
5K96	EPD603	C4C	{5K96} SUBJECT IN CUSTODY	03/27/2020 22:21:09			CEEYMNV
6X60	EPD378	D	Dispatched	03/27/2020 22:22:18			CEEYMNV
5E21	EPD1148	T	Transport	03/27/2020 22:48:00	To: LANE COUNTY JAIL/W1 DSRDLY		CEEYALW
5E33	EPD1140	L	Location Change	03/27/2020 22:48:04	LANE COUNTY JAIL		CEEYALW
4J79	CAH986	C	Cleared	03/27/2020 22:50:14	ASST	ASST	CEEYMNV
5K96	EPD603	L	Location Change	03/27/2020 22:56:13	EPD HEADQUARTERS		CEEYALW
5K96	EPD603	A	Arrived	03/27/2020 22:56:15			CEEYALW
6X60	EPD378	L	Location Change	03/27/2020 22:56:23	EPD HEADQUARTERS		CEEYALW
6X60	EPD378	A	Arrived	03/27/2020 22:56:27			CEEYALW
6X60	EPD378	C	Cleared	03/27/2020 22:59:58	AO	AO	CEEYMNV
5E21	EPD1148	A	Arrived	03/27/2020 23:00:24			CEEYALW
5E33	EPD1140	A	Arrived	03/27/2020 23:00:33			CEEYALW
5E21	EPD1148	L	Location Change	03/27/2020 23:42:37	RBH		CEEYMNV
5E21	EPD1148	L	Location Change	03/27/2020 23:49:16	RBH		CEEYALW
5E21	EPD1148	A	Arrived	03/27/2020 23:56:21			CEEYALW
6X60	EPD378	D	Dispatched	03/27/2020 23:58:31	5E21		CEEYALW
6X60	EPD378	L	Location Change	03/27/2020 23:58:38	RBH		CEEYALW
6X60	EPD378	C	Cleared	03/28/2020 00:18:19	AO	AO	CEEYALW
5E33	EPD1140	C	Cleared	03/28/2020 00:27:13	AO	AO	CEEYALW
5K96	EPD603	C	Cleared	03/28/2020 01:28:41		AO	Unit:5K96
5E21	EPD1148	C	Cleared	03/28/2020 03:53:56	ARR	ARR	CEEYJTZ

Event Log							
Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
		TR	Time Received	03/27/2020 21:28:10	By: E911		CEEYMGN
		ENT	Entered Street	03/27/2020 21:28:10	3832 MEADOW VIEW DR		CEEYMGN
		VER	Verified Street	03/27/2020 21:28:11	3832 MEADOW VIEW DR		CEEYMGN
		ENT	Entered CallerAddress	03/27/2020 21:28:22	3832 MEADOW VIEW DR		CEEYMGN
		CHG	Changed Street	03/27/2020 21:28:25	3832 MEADOW VIEW DR --> 3832-BLK MEADOW VIEW DR		CEEYMGN
		ENT	Entered Remarks	03/27/2020			CEEYMGN

			21:29:07		
	ENT	Entered Nature	03/27/2020 21:29:09	DISPUTE	CEEYMGN
	CHG	Changed Priority	03/27/2020 21:29:12	P --> 3	CEEYMGN
	FIN	Finished Call Taking	03/27/2020 21:29:12		CEEYMGN
	ARM	Added Remarks	03/27/2020 21:29:22		CEEYMGN
	ARM	Added Remarks	03/27/2020 21:29:34		CEEYMGN
	ARM	Added Remarks	03/27/2020 21:29:42		CEEYMGN
	ARM	Added Remarks	03/27/2020 21:30:28		CEEYMGN
	ARM	Added Remarks	03/27/2020 21:31:56		CEEYSFG
	ARM	Added Remarks	03/27/2020 21:32:24		CEEYDJB
	ARM	Added Remarks	03/27/2020 21:32:26		CEEYSFG
	CHG	Changed Street	03/27/2020 21:32:29	3832-BLK MEADOW VIEW DR --> 3832-BLK MEADOW VIEW D	CEEYSFG
	ARM	Added Remarks	03/27/2020 21:33:04		CEEYDJB
	ARM	Added Remarks	03/27/2020 21:33:19		CEEYSFG
	ARM	Added Remarks	03/27/2020 21:33:50		CEEYDJB
	ARM	Added Remarks	03/27/2020 21:33:53		CEEYKMK
	DLQ	Driver License Query	03/27/2020 21:34:21	OLN [REDACTED] state: Name: PAYNE, LANDON JAY	CEEYKMK
	ARM	Added Remarks	03/27/2020 21:34:35		CEEYDJB
	ARM	Added Remarks	03/27/2020 21:34:43		CEEYSFG
	CHG	Changed Street	03/27/2020 21:34:47	3832-BLK MEADOW VIEW DR --> 3832-BLK MEADOW VIEW D	CEEYDJB
	ARM	Added Remarks	03/27/2020 21:34:58		CEEYKMK
	ARM	Added Remarks	03/27/2020 21:35:59		CEEYDJB
	ARM	Added Remarks	03/27/2020 21:36:32		CEEYKMK
	ARM	Added Remarks	03/27/2020 21:37:24		CEEYSFG
	ARM	Added Remarks	03/27/2020 21:38:21		CEEYSFG
	ARM	Added Remarks	03/27/2020 21:39:21		CEEYSFG
	ARM	Added Remarks	03/27/2020 21:39:45		CEEYSFG
	ARM	Added Remarks	03/27/2020 21:40:58		CEEYSFG
	ARM	Added Remarks	03/27/2020 21:42:10		CEEYSFG
	ARM	Added Remarks	03/27/2020 21:42:45		CEEYSFG

	ARM	Added Remarks	03/27/2020 21:43:55		CEEYCMM
	CHG	Changed Street	03/27/2020 21:43:56	3832-BLK MEADOW VIEW DR --> 3832-BLK MEADOW VIEW D	CEEYCMM
	ARM	Added Remarks	03/27/2020 21:44:19		CEEYCMM
	ARM	Added Remarks	03/27/2020 21:45:08		CEEYSFG
	ARM	Added Remarks	03/27/2020 21:59:22		CEEYALW
	ARM	Added Remarks	03/27/2020 22:02:19		CEEYALW
	RSW	Reset Watchdog Timer	03/27/2020 22:03:12	Units: 5E21,5K96,5E33,4X40 >>> 60Min.	CEEYALW
	DLQ	Driver License Query	03/27/2020 22:14:49	OLN [REDACTED] State: Name: PAYNE, LANDON JAY	CEEYMNV
	ARM	Added Remarks	03/27/2020 22:21:09		CEEYMNV
	ARM	Added Remarks	03/27/2020 22:22:32		CEEYMNV
	ARM	Added Remarks	03/27/2020 22:29:16		CEEYMNV
	FF	Fast Forward to FIRE	03/27/2020 22:30:05	FIRE	CEEYMNV
	SP	Spawned	03/27/2020 22:30:08	Spawned FIRE event #20079928, callref #118	CEEYMNV
	ARM	Added Remarks	03/27/2020 22:33:10		CEEYMNV
	ARM	Added Remarks	03/27/2020 22:33:10	Sent to: Linked Events	CEEYMNV
	ARM	Added Remarks	03/27/2020 22:48:00		CEEYALW
	ARM	Added Remarks	03/27/2020 22:48:29		CEEYALW
	ARM	Added Remarks	03/27/2020 22:48:29	Sent to: Linked Events	CEEYALW
	ARM	Added Remarks	03/27/2020 22:51:56		CEEYYXS
	ENT	Entered memoNmComments	03/27/2020 22:56:44	WNO/17CN00853 .	CEEYMNV
	RPT	Requested Report#	03/27/2020 22:56:47	EPD Report #20-05537	CEEYMNV
	CHG	Changed memoNmComments	03/27/2020 22:59:00	WNO/17CN00853 --> LODGED LCJ ON MARION COUNTY WNO/	CEEYMNV
	ARM	Added Remarks	03/27/2020 23:03:56		CEEYSFG
	ARM	Added Remarks	03/27/2020 23:04:55		CEEYJTZ
	ARM	Added Remarks	03/27/2020 23:05:08		CEEYSFG
	RSW	Reset Watchdog Timer	03/27/2020 23:17:15	Units: 5E21,5K96,5E33 >>> 60Min.	CEEYALW
	RSW	Reset Watchdog Timer	03/28/2020 00:18:49	Units: 5E21,5K96,5E33 >>> 40Min.	CEEYALW
	RSW	Reset Watchdog Timer	03/28/2020 01:05:06	Units: 5E21,5K96 >>> 52Min.	CEEYALW
	RSW	Reset Watchdog Timer	03/28/2020 01:58:45	Units: 5E21 >>> 58Min.	CEEYALW
	RSW	Reset Watchdog Timer	03/28/2020	Units: 5E21 >>> 60Min.	CEEYJTZ

03:01:00

Related Names											
<u>Last, First MI Suffix</u>	<u>Type</u>	<u>Race</u>	<u>Sex</u>	<u>HT</u>	<u>WT</u>	<u>Eyes</u>	<u>DOB</u>	<u>Age</u>	<u>Home Ph</u>	<u>Mobile Ph</u>	<u>Work Ph</u>
GILMOUR, JANICE	CALLER				0						
Address: MEADOW VIEW DR EUGENE OR 97408											
<u>Last, First MI Suffix</u>	<u>Type</u>	<u>Race</u>	<u>Sex</u>	<u>HT</u>	<u>WT</u>	<u>Eyes</u>	<u>DOB</u>	<u>Age</u>	<u>Home Ph</u>	<u>Mobile Ph</u>	<u>Work Ph</u>
PAYNE, LANDON JAY	ARREST				0			37			
State OLN:											
Notes: LODGED LCJ ON MARION COUNTY WNO/17CN00853											

I N C I D E N T D A T A	Agency Name Eugene Police Department		INCIDENT/INVESTIGATION				Case# 2005537					
	ORI OR0200200		Internal Copy				Date / Time Reported 03/27/2020 21:28 Fri					
	Location of Incident 3832 Meadow View Dr - BLK, Eugene OR 97408-		Premise Type Single Family Residence		Beat/GeoPrx EP01		Last Known Secure 03/27/2020 21:28 Fri					
							At Found 03/27/2020 21:28 Fri					
D E T A I L M O	#1	Crime Incident(s) Resisting Arrest - Dis Conduct 4.910		(Com) M	Weapon / Tools				Activity			
					Entry		Exit		Security			
	#2	Crime Incident Warrant Arrest (fta,ftc,ftp,pv,sc) 133.360		(Com) M	Weapon / Tools				Activity			
					Entry		Exit		Security			
	#3	Crime Incident		()	Weapon / Tools				Activity			
					Entry		Exit		Security			
V I C T I M	# of Victims 1		Type: SOCIETY/PUBLIC		Injury:							
	V1		Victim/Business Name (Last, First, Middle) State Of Oregon		Victim of Crime # 1, 2	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
	Home Address								Home Phone			
	Employer Name/Address							Business Phone		Mobile Phone		
	VYR	Make	Model	Style	Color	Lic/Lis	VIN					
	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim) Type: INDIVIDUAL/ NOT LAW ENFORCEMENT Injury:											
O T H E R I N V O L V E D	Code CO	Name (Last, First, Middle) PAYNE, ANZHELIKA Y			Victim of Crime #	DOB Age 33	Race U	Sex F	Relationship To Offender	Resident Status	Military Branch/Status	
	Home Address 3829 Meadowview Dr Eugene, OR 97408								Home Phone			
	Employer Name/Address							Business Phone		Mobile		
	Type: INDIVIDUAL/ NOT LAW ENFORCEMENT Injury:											
	Code IO	Name (Last, First, Middle) PANTYUKHINA, ANGELA Y			Victim of Crime #	DOB Age 33	Race W	Sex F	Relationship To Offender	Resident Status	Military Branch/Status	
	Home Address 3829 Meadow View Dr Eugene, OR 97408								Home Phone			
P R O P E R T Y	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)											
	VI #	Code	Status Frm/Td	Value	OJ	QTY	Property Description			Make/Model		Serial Number
Officer/ID# SOLORIO, J. (WPO, EPAT) (EPD1148)												
Invest ID# (0)						Supervisor GRIESEL, R. (EPO, EPAT) (EPD378)						
Status	Complainant Signature				Case Status <i>Cleared By Arrest</i>		03/27/2020		Case Disposition:			Page 1

Incident Report Additional Name List

Eugene Police Department

OCA: 2005537

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	GILMOUR, JANICE KATHLEEN			69	W	F
Address	3832 Meadow View Dr , Eugene, OR 97408-	H:				
Empl/Addr		B:	- -			
		Mobile #:	- -			
2) WI 2	GILMOUR, THOMAS			69	W	M
Address	3832 Meadow View Dr , Eugene, OR 97408-	H:				
Empl/Addr		B:	- -			
		Mobile #:	- -			
3) WI 3	HEYWARD, KEITH MAYNARD JR			40	B	M
Address	3845 Meadow View Dr , Eugene, OR 97408-	H:				
Empl/Addr	U Of O	B:	- -			
		Mobile #:	- -			
4) WI 4	BEIRING, MEGAN DANIELLE			36	W	F
Address	3656 N Delta Hwy Apt. 101, Eugene, OR 97408-	H:	- -			
Empl/Addr		B:	- -			
		Mobile #:	- -			
5) WI 5	MIDDLEKAUFF, JOSHUA JAMES			40	W	M
Address	3656 N Delta Hwy Apt. 101, Eugene, OR 97408-	H:				
Empl/Addr		B:	- -			
		Mobile #:	- -			
6) ME 1	GILLESPIE, KATHRYN LOUSIE			37	W	F
Address	1110 W 27th Ave , Eugene, OR 97405-	H:				
Empl/Addr	Whitebird	B:	- -			
		Mobile #:				
7) WI 6	MAKER, TATANKA MADRONE			32	U	F
Address	341 E 12th Ave , Eugene, OR 97401-	H:				
Empl/Addr	Cahoos	B:	541-687-4000			
		Mobile #:				
8) WI 7	CAKEBREAD, HENRY DEXTER			26	W	M
Address	341 E 12th Ave , Eugene, OR 97401-	H:				
Empl/Addr	Whitebird	B:	458-215-9795			
		Mobile #:				
9) ME 2	PANTIOUKHIN, YURI			60	W	M
Address	3829 Meadow View Dr , Eugene, OR 97408-	H:	- -			
Empl/Addr		B:	- -			
		Mobile #:	- -			

INCIDENT/INVESTIGATION REPORT

Eugene Police Department

Case # 20-05537

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type	

Assisting Officers
MAKER, T. (CAH986), CAKEBREAD, H. (CAH1059), BIALLAS, N. (EPD635), ROBERTS, A. (EPD1140), THOMAS, J. (EPD603), GRIESEL, R. (EPD378)

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 20-05537 Eugene Police Department

NARRATIVE

Incident Report Suspect List

Eugene Police Department

OCA: 20-05537

1	Name (Last, First, Middle) <i>PAYNE, LONDON JAY</i>						Also Known As			Home Address <i>3829 MEADOW VIEW DR EUGENE, OR 97408</i>																																																		
	Business Address									[REDACTED]																																																		
	DOB [REDACTED]	Age <i>37</i>	Race <i>W</i>	Sex <i>M</i>	Eth <i>U</i>	Hgt <i>601</i>	Wgt <i>170</i>	Hair <i>BRO</i>	Eye <i>BRO</i>	Skin	Driver's License / State. [REDACTED] <i>OR</i>																																																	
	Scars, Marks, Tattoos, or other distinguishing features <i>SC R HAND; SC - FHD; SC R FGR</i>																																																											
<table border="1"> <tr> <td colspan="2"><i>Reported Suspect Detail</i></td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td colspan="2">Height</td> <td colspan="2">Weight</td> <td>SSN</td> </tr> <tr> <td colspan="2">Weapon, Type</td> <td colspan="2">Feature</td> <td colspan="2">Make</td> <td colspan="2">Model</td> <td colspan="2">Color</td> <td>Caliber</td> <td>Dir of Travel</td> </tr> <tr> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td colspan="2"></td> <td></td> <td>Mode of Travel</td> </tr> <tr> <td colspan="4">VehYr/Make/Model</td> <td>Drs</td> <td colspan="2">Style</td> <td colspan="2">Color</td> <td colspan="2">Lic/St</td> <td>VIN</td> </tr> </table>													<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN	Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel												Mode of Travel	VehYr/Make/Model				Drs	Style		Color		Lic/St		VIN
<i>Reported Suspect Detail</i>		Suspect Age		Race	Sex	Eth	Height		Weight		SSN																																																	
Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel																																																	
											Mode of Travel																																																	
VehYr/Make/Model				Drs	Style		Color		Lic/St		VIN																																																	
Notes						Physical Char <i>Deceased, DECEASED</i>																																																						

REPORTING OFFICER NARRATIVE*Eugene Police Department*

OCA

20-05537

Victim

Society

Offense

RESISTING ARREST - DIS CONDUCT

Date / Time Reported

Fri 03/27/2020 21:28

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

BODY WORN CAMERA/ CEPDJBS 2145 HOURS 3/27/2020

SOURCE OF ACTIVITY:

On 3/27/2020, I responded to 3829 Meadow View Dr for a report of a disorderly subject. The call was placed by Anzhelika Payne. The disorderly subject was later identified as Landon Payne. For the purposes of the last name, Landon and Anzhelika will be referred to by their first name. Prior to my arrival, Dispatch informed me that Landon was acting erratic, making statements that someone was trying to murder him. Anzhelika informed dispatch that Landon was possibly under the influence of alcohol and or Methamphetamines.

OFFICER'S INVESTIGATION/ OBSERVATIONS:

I arrived on scene and made contact with Anzhelika and Landon. I observed Landon, wearing a black shirt and dark colored pants. Landon was aggressive with our interaction, by yelling in anger, stating that his family in the home threatened to hurt him. I observed Landon sweating and very confrontational. He did not understand simple instruction, at times, repeating his statements. Landon said things like "If I remain here, I'm going to be killed" and "I'm being threatened".

When asked, Anzhelika was asked to move away from Landon and speak to police. During this time, she informed police that Landon had left the home and returned, possibly under the influence of Amphetamines. She confirmed Landon has a history of drug use but had been a "while" since the last time he used. When he returned home, he acted very paranoid and aggressive when spoke to. After stepping outside of the home, he began to yell that his family is trying to kill him. There was another caller (neighbor) who informed dispatch that she had heard a male screaming and banging on the door of the home.

During this conversation, dispatch informed me that Landon Payne had prior history with police, including a mental hold and felony weapon offenses. Dispatch also informed me that Landon had an unconfirmed and valid warrant for contempt of court. Landon continued being belligerent with police as I attempted to assist him with his possible mental crisis. While speaking to him, cahoots was contacted on scene for counseling purposes, at Landon's request. Landon was told multiple times that "White Bird", a city resource, was closed for the time being.

Landon showed aggression as he ignored my request to have a seat on the doorstep. Landon yelled at police as we attempted to calm him down. Cahoots arrived shortly after and attempted to have a conversation with him. It was at this time, I confirmed Landon's warrant from Marion County. Once the warrant was confirmed. Prior to my contact with Landon, there was no information provided to police that Landon had any medical issues.

ARREST/ CUSTODY:

I approached Landon and told him to put his hands behind his back. As I made this statement, I grabbed Landon's right arm and attempted to place his behind his back. Landon then pulled away from my grasp and placed his hand high by his chest as he tried to push officers away and pull from our grasp. Officer Roberts and I both tried to take control of his arms as Landon pushed away. At one point, officers directed Landon to the ground in order to effect the arrest. Landon continued to push and pull from me as I continued to gain control. Once on the ground, I was able to gain control of his arm and while struggling, place Landon's arm behind his back. Landon screamed and yelled uncontrollably as officers struggled to place handcuffs on him.

During the scuffle, Landon was tased by K9 Officer Thomas, in order to gain control. Landon continued to be uncooperative and resist the arrest while being tased. Once officers placed handcuffs on Landon, he was escorted to

REPORTING OFFICER NARRATIVE

Eugene Police Department

Victim <i>Society</i>	Offense <i>RESISTING ARREST - DIS CONDUCT</i>	OCA <i>20-05537</i> Date / Time Reported <i>Fri 03/27/2020 21:28</i>
--------------------------	--	---

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

my patrol vehicle. While escorting him, I pat searched Landon for weapons and pulled two taser probed from Landon's right buttocks and leg area. Medical was called on scene for a medical evaluation after the incident. Once medically cleared, Landon was transported to The Lane County Jail.

At this time, I determined I had probable cause for resisting arrest and had a confirmed warrant. Refer to K9 Officer Thomas' supplement for further information regarding the incident and taser deployment. Refer to Officer Roberts supplement for further information on his observations and arrest.

BOOKING:

I arrived at The Lane County Jail where I made contact with jail staff. Landon was still being uncooperative and yelling as I drove and arrived at the jail. Jail staff were informed of the incident and took Landon out of my vehicle, from the sally port of the jail as a precaution. While taking Landon out of my vehicle and at some point, Landon collapsed onto the ground in the sally port. Landon remained on the ground as I observed jail staff perform CPR on Landon. Landon remained unconscious until medics were called on scene and transported Landon to Riverbend Hospital, where he was treated and medically evaluated. Due to his condition, I was unable to lodge Landon at the jail and instead served him a Cite In Lieu of Custody at the hospital.

Landon was treated for any injury or medical condition and was in stable condition after I served his citations.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA: 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*

Occurred:

Offense: *.F.*Investigator: *ROBERTS, A. (EPD1140)*Date / Time: *03/28/2020 00:07:47, Saturday*Supervisor: *BIALLAS, N. (EPD635)*Supervisor Review Date / Time: *03/28/2020 00:26:29, Saturday*

Contact:

Reference: *Supplemental*

Details of Supplemental:

On March 27, 2020 I responded to 3829 Meadow View for a report of a family dispute.

I arrived on scene and contacted the subject and his wife who were standing on the front porch of the residence. Officers Solario and Thomas spoke to the male subject.

I spoke to Anzhelika Payne. Anzhelika told me her husband, Landon Payne, was gone most of the day and came home acting erratic. Landon was claiming that members of the household wanted to kill him. Anzhelika told me that Landon did not have a history of mental health diagnosis. Anzhelika told me Landon had a similar incident several years prior but nothing since he got sober.

CAHOOTs arrived on scene to provide counseling services to Landon. Landon was not open to going to the hospital or to services offered by CAHOOTs.

A record check showed Landon Payne had an active warrant for his arrest. Officer Solario and I attempted to take Landon in to custody. As soon as we made physical contact with Landon, he raised his arms away from our hands and twisted his torso away from us. In a loud clear voice, I gave Landon commands to lower his arms. Officer Solario and I took Landon to the ground to attempt to take him in to custody. Landon continued to twist his torso and pull his arms away from us. Officer Thomas deployed a taser while I attempted to use control holds on Landon`s arms to restrain him. Officer Solario and Officer Thomas were able to gain control of Landon`s left arm and place it in to handcuffs. I restrained Landon by the head and moved his right arm in to position to place Landon in handcuffs. See Officer Thomas` supplemental and Officer Solario`s report for further details.

After Landon was in handcuffs, Officer Thomas and I rolled Landon on to his side to ensure a clear airway and make sure he could breathe. Officer Solario returned with a patrol vehicle and we assisted Landon to his feet. Landon was searched and placed in the back of a patrol vehicle.

Medics and a supervisor arrived on scene. Medics did an evaluation of Landon and advised he was medically cleared to go to the jail. SGT Griesel conducted a blue team investigation of the use of force.

I followed Officer Solario to the Lane County Jail.

At the Lane County Jail, deputies removed Landon from the back of Officer Solario`s patrol vehicle. After several minutes they instructed Officer Solario to move his vehicle. When the vehicle was moved I could see deputies and medical staff performing CPR on Landon. Medics arrived on scene shortly after and transported Landon to River Bend Hospital.

Investigator Signature

Supervisor Signature

*r_supp3**.F.*

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA : **2005537**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred:

Offense: *.F.*

A Roberts 1140

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

*Eugene Police Department*OCA: **2005537****THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY****Case Status:** *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:****Offense:** *.F.***Investigator:** *THOMAS, J. (EPD603)***Date / Time:** *03/28/2020 01:27:46, Saturday***Supervisor:** *GRIESEL, R. (EPD378)***Supervisor Review Date / Time:** *03/28/2020 03:30:57, Saturday***Contact:****Reference:** *Supplemental Officer Statement***BWC/ CEPDJLT 03/27/20 @ 2144 HOURS**

AO/ Sergeant Griesel

EPD

Officer Solario

EPD

Officer Roberts

EPD

DETAILS: On March 27, 2020, at approximately 2128 hours, while on patrol I responded with additional Officers to 3829 Meadow View Lane regarding a disorderly subject. Dispatch advised they had received several calls from neighbors regarding subject outside yelling about possibly being murdered. Dispatch then advised they received a call from the wife of the disorderly male, who identified him as Landon Jay Payne. The wife advised Payne was "acting crazy" and saying his family was trying to murder him. Payne's wife told dispatch she believed Payne was possibly under the influence of methamphetamine and stated there were children inside of the home.

While en route to the location dispatch advised Payne had a warrant for his arrest out of Marion County and had prior arrests for Felon in Possession of Firearms. Payne's local record listed him as a white male, 37 years of age, 6'1" tall and 210 pounds.

Upon arrival Officers contacted Payne and his wife on the front stoop of the listed residence. Payne appeared animated in his movements and seemed very paranoid which was consistent with methamphetamine use. Officers spoke with Payne and attempted to deescalate. Payne was concerned about his father-in-law evicting him from the home and requested assistance from WhiteBird. I spoke with Payne's father-in-law inside. I learned Payne had a previous drug addiction and was told he had run from police on an earlier occasion where he jumped out of a second story window.

CAHOOTS responded to assist with keeping Payne calm and talked about available services.

Investigator Signature

Supervisor Signature

.F.

Eugene Police Department

OCA: 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred:

Offense: .F.

While CAHOOTS was speaking with Payne, Dispatch advised the warrant out of Marion County was confirmed.

Officers were speaking with Payne in the front yard of the residence. I moved up on to the front porch to position myself between Payne and the front door into the residence, fearing based on his unstable behavior and passed criminal history, he would attempt to run into the house where children and other family were present.

Officer Solario and Officer Roberts attempted to place Payne in handcuffs while in the front yard. Payne immediately raised his arms up and started backing away from Officers as they tried to control his arms. Payne kept pulling back away from Officers as they told him to put his arms behind his back. I displayed my TASER and pointed at him as Officers continued to struggle to control his arms. I know from training and experience fighting with a resistive suspect can be very dangerous for everyone involved. I know the longer a physical confrontation, the more fatigued Officer's become which greatly increases the risk of injury. I knew Payne was a much larger person than anyone of the Officers on scene. I knew the effective use of a TASER would momentarily incapacitate his movements so we could get him into physical custody without further risk to anyone.

As I announced I would deploy my TASER and raised it up to a stable firing position, Payne broke free from one of the Officer's control and reached over and batted the TASER away from him. Officer's thrust Payne forward where they all three fell on the front lawn. Payne rolled around as Officer tried to control him. I moved up and again announced the use of the TASER. I deployed the TASER from a very close distance to the backside of Payne while he was on the ground. Payne immediately rolled over on to his back and reached up swiping at the TASER in my hand. Payne then kicked and wrapped his legs in the TASER wires in an apparent attempt to break them. The TASER was not effective.

Payne continued to resist arrest as Officer's struggled to get control of his arms. I removed the cartridge from my TASER making it only useful as a drive stun pain compliance device. I drive stunned Payne on his quad. Payne kept bucking and rolling around causing the TASER to not make contact with his body, again having no effect. Payne was able to roll over on to his stomach and was starting to get up on his knees. While doing this, Payne's shirt came up exposing some skin. I transitioned the TASER and drive stunned Payne on his lower right back. This deployment was effective only as temporary pain compliance.

Officers were yelling at Payne to lay on his stomach and "stop resisting" and "you're under arrest." After the cycle of the drive stun, Payne again tried to stand up pulling away from Officers. I deployed another drive stun to his lower right back area where Payne said something to the effect of "owe okay I'm stopping." I then heard Officer Roberts yell at Payne to lay on his stomach and let go of his (Officer Roberts) hand. I placed my knees on top of Payne's legs in an attempt to keep him from further kicking. While holding this position Officer were still telling Payne to "relax your

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA: 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred:

Offense: *.F.*

arms” as they still were unable to get them behind his back. Payne was admonished again to he would be tased if he did not stop resisting. I delivered a third drive stun to Payne’s lower back which appeared to be effective. Payne said “okay I’m done I’m done.”

Officer still did not have Payne’s hands behind his back yet. Officer Solario told Payne he was going to get tased again. Payne replied “I’m done.” Officer’s still struggled to get his arms behind his back where he was eventually placed in handcuffs.

We rolled Payne up on to his side allowing him to breathe freely. Medics responded to evaluate Payne for the TASER deployment and possible excited delirium. Medics cleared him to be transported to the Lane County Jail.

See additional Officer’s reports for further details.

J. Thomas 603

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

*Eugene Police Department*OCA : **2005537**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:****Offense:** *.F.***Investigator:** *MCGUIRE, J. (EPD150)***Date / Time:** *04/01/2020 15:26:18, Wednesday***Supervisor:** *HAYWOOD, T. (EPD357)***Supervisor Review Date / Time:** *04/07/2020 11:22:00, Tuesday***Contact:****Reference:** *Supplemental*

AO/ Sergeant Time Haywood Eugene Police-Violent Crimes Unit
Detective Cliff Sites Eugene Police-Violent Crimes Unit

RMD/ Do not release this report without contacting Detective McGuire

Narrative:

On March 31, 2020, I was contacted by Eugene Police Detective Sergeant Tim Haywood regarding a death investigation. Sergeant Haywood told me the Lane County Medical Examiner would be conducting a post-mortem examination of Landon Payne, on April 1, 2020. I read the relevant reports related to the investigation, and arrest of Payne on March 27, 2020.

On April 1, 2020, Eugene Police Detective Cliff Sites and I went to observe the autopsy. The autopsy was conducted by the Lane County Medical Examiner, Dr. Dan Davis. During the autopsy Dr. Davis pointed out two marks near the right buttocks of Payne. The marks appeared to be consistent with the deployment of Taser barbs.

Dr. Davis told me Payne was transported to the hospital on March 27, 2020 and died on March 29, 2020. During testing at the hospital, Payne tested positive for Methamphetamine. Doctor Davis told me his preliminary findings, as to one of the contributing factors of Payne's cardiac arrest and death was Methamphetamine toxicity. Dr. Davis requested the fluid samples taken from Payne be sent to the Oregon State Police Forensic Laboratory for Toxicological Examination. A full report and determination as to the Cause and Manner of death will not be available until the completion of the Toxicological examination.

*****This report completed by Detective Jed McGuire-Eugene Police Violent Crimes Unit*****

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA: 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*

Occurred:

Offense: *.F.*Investigator: *GRIESEL, R. (EPD378)*Date / Time: *04/01/2020 22:01:10, Wednesday*Supervisor: *SALSBURY, C. (EPD659)*Supervisor Review Date / Time: *04/01/2020 23:06:24, Wednesday*

Contact:

Reference: *Supplemental*

Details:

On March 27th, at about 2220 hours, I responded to the 3800 block of Meadow View Dr. in Eugene, OR. Officers had responded to subject, identified as Landon Payne who had a warrant for his arrest and was yelling about murder near a residence. Officers had made contact with Payne, requested Cahoots to speak with him, and had taken him into custody for his warrants. When I arrived I observed Ofc. Thomas offering water to Payne who was seated in the back of a patrol car. Payne was yelling unintelligibly and exhibiting behavior typical of excessive methamphetamine use.

I spoke with officers about what had occurred. Ofc. Thomas advised he had deployed his Taser during the struggle to get Payne into custody. When Ofc. Solorio and Ofc. Roberts attempted to take Payne into custody he immediately resisted their efforts. Ofc. Thomas attempted to deploy his Taser but Payne slapped it away. Ofc. Thomas said he eventually was able to deploy it but the close proximity of the probes had no effect on Payne. As Ofc. Solorio and Ofc. Roberts continued to try to control Payne, Ofc. Thomas said he utilized the drive stun feature of the Taser to try to gain compliance, but it had no apparent effect.

Officers said they had already removed the probes from Payne and called the medics to evaluate him. The medics arrived shortly after and evaluated Payne. The medics told me they were unable to get good readings from Payne due to his erratic behavior. We told the medics our intent was to lodge Payne at Lane County Jail and they agreed he was safe to transport. Payne's wife was standing in the front yard and asked where we were taking Payne. I explained Payne was going to be transported to the Lane County Jail. I knew the jail had medical staff and deputies waiting in the sally-port to evaluate custodies due to Covid-19 and told her he would be medically evaluated there, as well.

When Ofc. Solorio left, Payne was still yelling unintelligibly in the back of the patrol car. A short time later I heard officers request a supervisor to the jail regarding a medical condition with a custody. Sgt. Biallas was close to the jail and responded to assist officers. I later responded to the hospital to check on Payne's condition. Ofc. Solorio had followed the medics to RIVERBend hospital and was standing by when I arrived. He told me that the hospital staff had moved Payne to ICU and that he was in stable condition. I spoke with Ofc. Solorio again in the early morning hours and he told me that hospital staff told him Payne was still in stable condition.

See additional reports for further information.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA : 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*

Occurred:

Offense: *.F.*Investigator: *SITES, C. (EPD662)*Date / Time: *04/04/2020 12:45:31, Saturday*Supervisor: *HAYWOOD, T. (EPD357)*Supervisor Review Date / Time: *04/08/2020 11:43:41, Wednesday*

Contact:

Reference: *Supplemental***NARRATIVE:**

On 03/31/20, I was contacted by Sgt Haywood and informed Landon Payne had died shortly after being arrested by Eugene Police Officers on 03/27/20. Sgt Haywood advised Payne's autopsy was scheduled for 04/01/20, and requested two IDFIT detectives be present.

Detective McGuire and I met with Lane County Medical Examiner Davis and Lead Medical-Legal Death Investigator Hannon at RiverBend Hospital on 04/01/20. We reviewed body camera and in-car video footage of EPD Officers' contact with Payne. Doctor Davis advised he had requested, but not yet received, the footage of Payne being removed from the patrol vehicle in the sally port from the Lane County Jail.

Detective McGuire and I observed as Doctor Davis and Hannon conducted an external examination of Payne's body. Only minor injuries were located at this time, including two apparent TASER probes in the area of Payne's right buttock.

Doctor Davis advised he would need to review the jail video footage and the toxicological report before making a determination as to the cause and manner of Payne's death.

On 04/03/20, Sgt Haywood notified me Doctor Davis would be conducting a full autopsy on Payne and requested I return to RiverBend Hospital to be present. I returned to the hospital at about 1100 hours.

I returned to RiverBend Hospital and met with Doctor Davis and Medical-Legal Death Investigator Hannon. Doctor Davis told me he had reviewed the jail's sally port footage of Payne being removed from the patrol vehicle and said he now had concerns for compression/positional asphyxia.

I reviewed the sally port video with Doctor Davis and further reviewed the video (along with EPD body camera and in-car video footage) while preparing this report. I remained present as Doctor Davis conducted the autopsy of Landon Payne after we had reviewed the video. Doctor Davis advised his final conclusions would still be pending the toxicological report.

In reviewing the EPD and Lane County Jail video footage of this incident, I found the transport video from Officer Solorio's vehicle shows Payne to have been placed in the back seat at 22:25 hours. Payne can be seen to be wide eyed, sweating, and appears to be hyperventilating at this time. Officers repeatedly tell him to "take a deep breath."

Officer Thomas can be seen and heard helping Payne to get situated in the back seat of the vehicle and then offering him some water. Payne responds, "Can I please? Real water, not poison, please." Officer Thomas asks someone to bring them a bottle of water and assures Payne water is coming. Payne then tells Officer Thomas he doesn't want it and adds, "You're not giving me real water. You guys are just so cruel." Officer Thomas holds a bottle of water in front of

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA: 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred:

Offense: .F.

Payne and offers to help him if he wants to drink it. Payne says "No," and makes some additional incoherent grunting noises. Officer Thomas continues to offer the water without receiving a clear response. He eventually asks Payne, "If I put some water in your mouth, will you drink it?" Payne responds, "No." Officer Thomas makes multiple additional offers to give Payne water.

Payne begins breathing more heavily and loudly saying, "No," after Officer Thomas closes the back door of the vehicle. He then begins screaming, thrashing around, and continues to breathe very heavily. Another Officer can be heard repeatedly telling Payne to breathe and assuring Payne medics are coming to evaluate him.

Medics contact Payne in the back seat of Officer Solorio's vehicle at 22:41 hours. Payne continues to scream and thrash around as they attempt to check his pulse and blood pressure.

Officer Solorio begins transport at 2249 hours and arrives at the jail at 2301 hours. Payne continued to scream, hyperventilate and thrash around throughout the transport and after their arrival at the jail. Jail staff begin talking to Payne through the front passenger door of the vehicle at 2307 hours. Payne continues screaming and does not give any clear responses to the questions asked of him. Payne then begins screaming even harder and can be heard gasping for air between screams. The deputy can be heard calmly reminding him, "Take a breath. Take a breath, man."

Officer Solorio's rear facing camera shows deputies opening the rear doors of the vehicle to remove Payne from the back seat at 23:09:46 hours. These actions can also be seen on the jail's sally port video and from this, it can be seen the time stamps on these cameras are synchronized to within about a second of each other.

The sally port camera shows Payne is removed from the vehicle and brought to the ground in a prone position by deputies at 23:10:10 hours. The transition to the ground happens slowly and there does not appear to be any significant impact. When he is first on the ground, he can be seen to be being held down by six deputies with six additional deputies and a jail nurse standing by. At this time, it appears three of the six deputies who are holding him are positioned at or below his waist, one deputy appears to be controlling Payne's head (it appears this deputy may have his knee on Payne's right upper arm/ shoulder), and two deputies appear to be positioned over his back. One of these deputies over Payne's back can be seen to have his left knee on the right side of Payne's back (or possibly his right arm) when they first go to the ground. He repositions himself and removes his knee from Payne's back at 23:10:35 hours. It is unclear from the video how the other deputy over Payne's back has his weight distributed. A seventh deputy then assists with Payne's feet as they appear to be applying foot restraints.

At times, Payne can be seen to be able to move his head and lift his left shoulder from the ground as he is being held down by deputies. He continues screaming as a deputy can be heard asking him about drug use and reminding him to "Take a deep breath." The nonverbal noises Payne is making then transition to be short bursts as opposed to extended screams. At 23:11:07, Payne can be seen making a jerking movement in which his whole body appears to move, and his left shoulder comes well off the ground. A deputy can be heard reminding Payne to relax and another deputy kneels down and appears to place his left knee on Payne's left upper arm/ shoulder to keep him from lifting himself again.

Payne lifts his head from the ground and lets out a nonverbal noise from his mouth at 23:11:20, and again at 23:11:26. Payne makes one last nonverbal noise at 23:11:32. During this time, a deputy can be heard saying, "Landon? Landon? Hey." The Deputy continues to try to get a response from Payne until 23:12:07 hours, when he assisted by other deputies in rolling Payne onto his back.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA : 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred:

Offense: *.F.*

Deputies then appear to perform a sternum rub as they continue their efforts to get a response from Payne. Deputies begin CPR at 23:12:51 hours, and the jail nurse can be heard coaching them as they work. A second nurse responds to the sally port during this time. Deputies and nursing staff connect an AED to Payne, which can be heard announcing `Analyzing Heart Rhythm,` and then `No Shock Advised` at 23:16:34 hours.

Deputies and nursing staff can be seen to continue lifesaving efforts on Payne. The AED can be heard to announce, `No Shock Advised,` again at 23:19:02 hours.

Medics with Eugene/ Springfield Fire arrive in the sally port at 23:20 hours and take over CPR shortly after. Medics transport Payne from the jail by ambulance at 23:36 hours.

On 04/05/20, Assistant City Attorney Ben Miller forwarded me memorandums written by jail employees regarding this incident which he had received from County Counsel Steve Dingle. The memorandums I received were written by Deputy J. Wilson, Deputy Fulton, Deputy Edwards, Deputy Gawith, Deputy Santini, Deputy Gent, and Deputy Baeuerlen. I scanned these reports and entered them into this case file.

This case remains active and should be routed back to me for follow-up.

This report written by C. Sites
Badge # 662.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

*Eugene Police Department*OCA: **2005537**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:****Offense:** *.F.***Investigator:** *SITES, C. (EPD662)***Date / Time:** *04/04/2020 12:46:18, Saturday***Supervisor:** *HAYWOOD, T. (EPD357)***Supervisor Review Date / Time:** *04/07/2020 11:19:31, Tuesday***Contact:****Reference:** *Supplemental***NARRATIVE:**

On 04/02/20, I contacted the initial complainant on this call, Janice Gilmour, by phone and recorded our conversation.

Janice told me she and her husband, Thomas Gilmour, had been watching TV in their home when they heard a man outside screaming "Help! I don't want to die!" She said they could hear the man's screams over the volume of their television.

Janice said she looked out her window and saw a man on the porch of the residence across the street from her house. She later gave the address of this house as 3829 Meadow View Drive. She said she was not sure if the man was banging on the door but thought he might have been.

Janice told me she has lived in her house at 3832 Meadow View Drive for about ten years and said the family who currently lives in 3829 Meadow View Drive was already living there when she moved in. Janice said the adult male of the house (who she referred to as the homeowner) is approximately 60 years of age. She said he and his wife have twins who are approximately five or six years of age. Janice said the man's adult daughter also lives in the home with her two children who are about middle school aged. Janice said she was unsure of the man's adult daughter's current relationship status. She said she was aware she'd had a boyfriend or husband at one time but did not believe he had been living at the residence with her.

In further describing the neighborhood to me, Janice repeated that 3829 Meadow View Drive is across the street and to the right from her house. She said the owner of the house to the left of 3829 lives in California and is only at the residence on occasion. She said the neighbors to the right of this house are a Chinese couple who do not speak English. She added that she seldom sees the occupants of this house either.

Janice told me after the man had been yelling on the porch couple of minutes, she observed the homeowner step out and talk to him. She said the homeowner returned inside the house and then a woman came out of the house to speak to the man on the porch. Janice said she could not see the female clearly enough to be able to tell me if it was the homeowner's wife or adult daughter. She said the two occupants of the house kept going in and out of the house while the man remained on the porch.

Janice told me at one point, a woman came out of the residence and the man on the porch "got down on his knees as though he was praying for something for her." She said she then saw the man talking on his cell phone. I was aware from reviewing the event report for this call that Landon Payne had called 911 after Janice had called and prior to police arrival.

Janice said there was then a time when all of the occupants of the hose had returned inside and she could see the man on the porch opening and closing the door. She added, "He could have gone in the house, he did not."

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA : 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred:

Offense: .F.

Janice indicated she did not recognize the man on the porch and said when she called the police she had believed there was a "deranged homeless person or something on the neighbor`s porch." She added that the incident had continued for approximately 15 minutes before police arrived.

I asked Janice if she had observed any changes to the situation between the time she called and when police arrived. She told me the man had stopped yelling but he continued to appear agitated. She said some of the times when the homeowner came out to talk to the man on the porch, she observed "a lot of gesticulating going on between the two of them." She added that they did not touch each other but it was clear the homeowner was motioning for the man to go.

I asked Janice if she had seen the interaction continue after the police arrived. She told me she had seen police officers walking around the corner toward the house and then her husband had called her away from the window. She said they had gone back to watching TV at this time. Janice said she looked back out the window a little later and saw a police car in front of the house. She said there was another car parked nearby but she was unsure if this was also a police vehicle.

I asked Janice if she had heard the man yelling anything other than "Help! I don`t want to die!" She said she`d only heard the man yelling at the beginning of this incident and he appeared to be yelling into the house as he stood on the porch. She said she had not heard him yelling anything other than yelling for help and that he did not want to die.

This narrative written by C. Sites
Badge # 662.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

*Eugene Police Department*OCA: **2005537**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:****Offense:** *.F.***Investigator:** *SITES, C. (EPD662)***Date / Time:** *04/04/2020 14:53:18, Saturday***Supervisor:** *HAYWOOD, T. (EPD357)***Supervisor Review Date / Time:** *04/07/2020 11:19:48, Tuesday***Contact:****Reference:** *Supplemental***NARRATIVE:**

On 04/02/20, I contacted Keith Heyward, a complainant on this incident, by phone and recorded our conversation.

Keith told me he had heard someone outside their residence yelling for help as he was trying to put his young daughter to bed. He added that the yelling had caused her to tell him she was scared. Keith told me he called 911 shortly after the yelling began and said the yelling continued as he was on the phone.

I asked Keith if he remembered anything the man had been yelling beyond asking for help. He said the man had yelled, "Let me go!", and "Somebody help me!" He said he could hear a person responding to the man yelling and it sounded as though they were trying to clam him down and keep him out of trouble.

Keith explained he had not physically seen what was happening because there are no windows on his house facing out that direction due to the location of his laundry room and garage.

I asked Keith if he had seen anything that happened after police arrived. He said he had seen one police car pull up and park outside his residence. He said the way this car had slowly pulled up to the scene, gave him the impression there were already other officers at the location and the situation was under control by this time. He told me he had not heard any sirens or seen lights flashing.

This narrative written by C. Sites
Badge # 662

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA : 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*Case Mng Status: *NA*

Occurred:

Offense: *.F.*Investigator: *SITES, C. (EPD662)*Date / Time: *04/04/2020 16:09:33, Saturday*Supervisor: *HAYWOOD, T. (EPD357)*Supervisor Review Date / Time: *04/07/2020 11:20:28, Tuesday*

Contact:

Reference: *Supplemental***NARRATIVE:**

On 04/02/20, I contacted Megan Biering, a complainant on this incident, by phone and recorded our conversation. Megan told me she had heard someone screaming while she was out for a walk with her fiancé, Joshua Middlekauff. She said it had been a male voice and they were screaming, "They're gonna kill me! Please help!"

Megan said it appeared other people were outside with the man yelling and told me she did not get close to the situation. She said she called 911 and learned other people had already reported the incident. Megan said things then quieted down and she thought the incident had been handled. She estimated she had stayed about two blocks away from the incident as it was occurring.

When asked for more details. Megan told me Joshua had gotten closer to the situation than she had and put him on the phone with me.

Joshua told me he had watched the situation for about ten to fifteen minutes and said he had been about a house or two away. Joshua told me they had been out walking and then they heard yelling. He described the yelling as being "pretty severe" and said they'd heard it from about two blocks away.

Joshua said he heard a male yelling, "Help! They're gonna kill me." Joshua said it did not look as though there was anything wrong with the man, but he decided to get closer in an effort to see if he actually needed help. Joshua said as he got closer, the man looked as though he was afraid of him. He said, "I don't know if he was hallucinating or what." Joshua said he discontinued his approach out of concern he might be making the situation worse.

Joshua told me he was under the impression the man lived at the house he was standing in front of. He said he heard the man saying he just wanted to get his stuff and also heard him saying that someone had given him some drugs. Joshua said the people the man was talking to appeared to be "a woman and an elderly Asian man." He said he heard them telling the man to calm down and warn him that someone was going to call the police.

Joshua told me he and Megan left before police arrived because things appeared to have calmed down. I asked Joshua if he had seen any kind of physical altercation. He told me the woman he had seen might have tried to restrain the man with her hands, but it had appeared to be in an effort to calm him and was not violent.

Joshua told me he believed the man had likely been using meth after hearing him make the comment about drugs.

This narrative written by C. Sites
Badge # 662

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

*Eugene Police Department*OCA: **2005537**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:****Offense:** *.F.***Investigator:** *SITES, C. (EPD662)***Date / Time:** *04/13/2020 11:53:54, Monday***Supervisor:** *HAYWOOD, T. (EPD357)***Supervisor Review Date / Time:** *04/17/2020 15:31:37, Friday***Contact:****Reference:** *Supplemental***NARRATIVE:**

On 04/05/20, I contacted Landon Payne`s wife, Anzhelika (Angela) Payne, by phone and recorded our conversation. When asked about drug use, Angela told me Payne had been sober for the last few years, but had a drug related "slip-up" about three years ago in which he had been brought to the hospital. She told me she did not know exactly what he had been using during this incident.

Angela told me she had been able to tell Payne was under the influence of something on 03/27/20, and said, "I knew something was wrong. You know, because I wasn`t happy that he took something again. I was just like, "Why is this happening again?" She told me she had tried to stay calm with Payne even though she was frustrated with him because she could see that he was also upset with himself.

Angela said Payne had taken a walk on the afternoon of 03/27/20, and was gone for most of the day. She said he looked "tired and drained" when he came back to the house. She also described him as being anxious. She told me she suggested to him to take a shower and then try to "sleep this off." But he was too anxious and "amped up" to rest.

Angela told me she had needed to go to the store for a couple of things and invited Payne to go with her. She said she brought Payne to Market of Choice and he waited in the car while she went in the store.

Angela told me Payne started acting differently when they returned home. She said he seemed suspicious of her and was twisting her words as they talked. She said she remembered this behavior from his prior incident. She said Payne started to appear as though he was having a panic attack and then went outside for fresh air. She told me, "And then he started freaking out."

Angela explained Payne began yelling and was having delusions that she and her parents were going to hurt him. She said she tried to calm him down and assured him she was there to help him. She said Payne started screaming for help as she was attempting to calm him. Angela told me she became worried her neighbors would call the police and said she decided to call as well so that responding officers would have an idea as to what was going on. Angela said her father, Yuri Pantioukhin, came out to talk to Payne and this seemed to calm him down a little, but then he started "freaking out again."

Angela said the police arrived at her residence and began talking with Payne quietly and slowly as they tried to figure out what was going on and why he was afraid. She said, "For a bit, he almost like, was clear headed." She explained, "He was getting really delusional. And, when they came, he started to kind of, you know, reason with them." Angela explained she had wanted CAHOOTS to come out and told me she had not believed Payne to have been a danger to himself or her family, but was just "really, really scared." She added, "And he needed medical help in his situation."

Angela said she spoke with CAHOOTS staff when they arrived and learned their resources were limited because of

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA : 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred:

Offense: *.F.*

COVID-19, and there was not anywhere they'd be able to take him. She said the police officers also told her they had no reason to detain Payne because he had not committed a crime.

Angela said she suddenly saw Payne struggling with police officers as they attempted to take him into custody. She told me she had not understood what was going on. She said she saw Payne struggling to break free as three officers tried to detain him. She said she later learned he had a warrant out of Marion County. She told me this warrant related to child support issues and she was aware he'd been in contact with the courts to try to resolve the situation. She explained she had been talking to CAHOOTS staff when officers first tried to take Payne into custody and had not observed the first part of this interaction.

Angela said the officers tased Payne as he was resisting their efforts to take him into custody and told me "That's when everything went wrong." She said Payne was screaming and "looked like he was about to have a heart attack" after he was placed in the back seat of the patrol vehicle. Angela described being very worried about Payne as they waited for medics to come and evaluate him.

Angela said the medics had arrived, but she did not think they had done anything to help Payne. She told me, "The only thing they did was give him a water bottle while he's basically dying and freaking out. And, I expected some kind of medic team to help him, to give him some kind of medicine to tranquilize him somehow so his body would stop freaking out."

Angela told me she did not understand why Payne had been brought to jail instead of the hospital. She said she was later contacted and informed Payne had collapsed at the jail and his heart had stopped. She told me she was informed he had gone back into cardiac arrest in the ambulance while he was being transported from the jail to the hospital.

Angela said Payne was brought to ICU after arriving at the hospital. She said she was later notified he suffered severe brain damage due to a lack of oxygen and his organs were failing. She said hospital staff contacted her the next day and advised Payne was not going to survive. Angela told me she believes more could have been done for Payne if he had been immediately transported to the hospital instead of the jail.

When asked about their relationship, Angela told me she and Payne had been together for ten years and had been married for six years. She said Payne had lived in Salem when they first started dating and had moved to Eugene about seven years ago. Angela said they had rented a house together in Springfield for a while, but had been living with her parents for the last few years for financial reasons. Angela told me Payne had been working at Carry-On Trailers, but had been off work the last few months due to an injury.

I asked Angela about Landon's drug use and the prior incident she had described. She told me that about three years ago, Payne had taken some things that caused him to "escalate and have a panic attack." She said she believed this had been a mixture of substances and he had "kind of OD'd on whatever it was."

When asked about prior drug use, she told me she was aware he'd had some marijuana charges as a teenager. I asked Angela about methamphetamine. She told me she thought Payne had tried meth a long time ago, but had not been a heavy user. She explained he'd had a "minor window of time when he did experiment with some things and then quit." She said she thought this had been when he lived in Salem and before they got together.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA: 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred:

Offense: *.F.*

I asked Angela about Payne's behavior in the days leading up to this incident. She replied, "He was probably not sober for like, two days." She said he had not been acting "super weird" and told me he'd been doing almost everything that he usually does. She said she noticed something was wrong and had confronted her about it. She told me he had acknowledged he had "messed up" and had felt bad about it. Angela said Payne had explained that his drug use was a "huge mistake," and had explained that he'd ran into someone he had not seen in a long time." She said it was her understanding from this that an old friend had given him something. She told me Payne had felt horrible about his drug use and assured her he would never do it again.

Angela said a friend of Payne's had died just a few days earlier and told me this had really affected him. She said she believed his friend had committed suicide, but she was not certain. Angela said Payne had told her he never wanted to commit suicide and that he wanted to get old with her. She added that he'd told her he "loves life and really wants to experience more of it." She said she believed his friends death had caused him to go into a depression.

I asked Angela about the changes she'd observed in Payne in the days leading up to 03/27/20. She told me had been acting different and she "could tell he was probably using something." She said he was staying up late after she went to bed and told me she could tell he was not sober. She said she thought this had been happening Wednesday and Thursday. She said she confronted him about his behavior, and he admitted to taking pills. She said he had not told her what kind of pills he had taken.

Angela said Payne had explained he'd been feeling stressed and anxious and had wanted to "deflect from it mentally and distract himself."

Angela told me Payne had been "manageable and wasn't acting crazy" on Wednesday and Thursday and had become more anxious on Friday. She repeated that Payne had been gone on a long walk for much of the day on Friday (03/27/20). She estimated he left around 1100 hours and was gone for about five or six hours.

Angela said Payne was in their room, trying to fix his computer, after he returned from his walk. She said she was staying out of his way during this time because she was upset with him for his drug use and wanted to avoid conflict. She said they then started talking and she could tell he was upset with himself.

Angela said Payne continued to seem anxious after they talked and was pacing and trying to keep himself busy. She told me she was bringing Payne juice and trying to get him hydrated because he did not look well to her.

Angela told me Payne had also been talking to her about how his friend had gone too soon. She added that Payne had had "a lot of death" in his life recently. She explained he'd lost two friends, his grandfather had died a few months ago and his father had died last year.

Angela told me she noticed some additional changes to Payne's behavior on their way back from Market of Choice, but added that "he still seemed relatively normal." She explained he had been suspicious of employees who were sanitizing grocery carts and said she had explained to him it was a good thing that they were doing.

Angela said Payne started pacing around the house after they returned home from the store and said she tried to get him to shower and go to bed. Angela told me things had "escalated really quickly" from this point and said Payne had been afraid someone was going to do something to him.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA: 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: CLEARED BY ARREST

Case Mng Status: NA

Occurred:

Offense: .F.

Angela repeated that Payne had appeared to have a moment of clarity when police first arrived. She said Payne had not wanted to be a disturbance and had taken part in coming up with solutions as to where he could go for the rest of the night. She said he had offered to go to a friend's house but this friend lived in the Albany area.

Angela said she believed Payne may have been unable to follow instructions given to him by the responding officers and indicated she believed this was why it had turned into a physical altercation. Angela said Payne had a partially dislocated shoulder and told me it appeared to her that it had "snapped" during his struggle with police. She indicated she believes part of the reason Payne had been resisting was because he was in pain from both his shoulder and the TASER deployment.

Angela said it had not looked to her as though Payne had been trying to hurt anyone as he struggled with police. She said she believed he may have just been trying to move his hand because his arm was hurting. She added that she had heard Payne say, "I'm not doing anything. I'm not doing anything," as he struggled. She said she heard the officers saying, "Stop resisting. Stop resisting," before they used the Taser on him.

Angela repeated that she had not heard the officers' interaction with Payne when they first attempted to take him into custody for his warrant. She said he had been "calm and cooperative" and was willing to leave her house up until that point. She said he had not been comfortable at her house and wanted to go somewhere safe. She told me she felt Payne had become frightened by the officers during this interaction.

After speaking with Angela, I reviewed EPD Case # 17-01047, and found it to likely be the prior incident Angela had described. In this report, Officer Berger documents having responded to a report of a subject having a "meltdown" at 3829 Meadow View Drive on 01/21/17.

Berger documented Angela had told him Payne was gone for most of the day and was in some sort of mental health crisis when he returned home. Berger documented Angela had told him Payne was acting paranoid and believed others were out to get him. She said he jumped out a second-floor window of their residence and had ran off. Angela had expressed concerns for Payne's mental state and for possible injuries from jumping out the window. She told Berger Payne had a mental health diagnosis, but she was unaware of what it was and he did not take medication for it. She said she was aware of prior LSD use and said she believed he had been drinking that evening.

Officer Berger documented that he and Officer Griesel had contacted Payne later in the evening after he was reported to be stumbling along the fog line of Delta Highway. This complainant had advised it appeared Payne may be trying to get hit by a vehicle. Officer Berger documented he placed Payne under Peace Officer Hold due to the fact he was walking on an unlit highway median at night and appeared to be paranoid and disoriented.

Officer Berger documented Payne had resisted his efforts to detain him in handcuffs and it had taken three officers to get him under control. Officer Berger documented Payne's only verbalizations during transport to the hospital had been grunting and sticking his tongue out. He continued to be uncooperative with officers upon their arrival at UDH and had to be brought into the hospital in a wheelchair.

This case remains active and should be routed back to me for follow-up.

This narrative written by C. Sites

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA : **2005537**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred:

Offense: *.F.*

Badge # 662

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA: 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred:

Offense: *.F.*

Investigator: *SITES, C. (EPD662)*

Date / Time: *04/13/2020 12:19:32, Monday*

Supervisor: *HAYWOOD, T. (EPD357)*

Supervisor Review Date / Time: *04/17/2020 15:49:53, Friday*

Contact:

Reference: *Supplemental*

NARRATIVE:

On 03/10/20, Senior Prosecutor Erik Hasselman provided me with jail body camera footage of Payne`s arrival at the Lane County Jail, which he had received from Chief Deputy Carl Wilkerson. I later uploaded this video to Digital On Q.

On 03/13/20, Chief Deputy Wilerson emailed me memorandums regarding this incident which had been prepared by jail employees Sgt Jester, Deputy Foley, Deputy Fisher, Deputy Fifer and W. McClure. I scanned these documents and entered them into this casefile.

This narrative written by C. Sites
Badge # 662.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA : 2005537

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred:

Offense: *.F.*

Investigator: *SITES, C. (EPD662)*

Date / Time: *04/15/2020 13:32:20, Wednesday*

Supervisor: *HAYWOOD, T. (EPD357)*

Supervisor Review Date / Time: *04/17/2020 15:30:53, Friday*

Contact:

Reference: *Supplemental*

NARRATIVE:

On 04/13/20, I received the CAHOOTS incident log related to this incident from CAHOOTS Clinical Coordinator Kate Gillespie. I reviewed this report and found CAHOOTS employees Tatanka Maker and Henry Cakebread had documented Payne had an elevated tone, delusional speech content, and was difficult to direct during his contact with them.

CAHOOTS staff documented Payne had attempted to run and then "fought with patrol, resulting in being tased," when officers attempted to take him into custody for his warrant. CAHOOTS staff also documented medics had been requested for an evaluation after the TASER deployment.

I scanned this report and uploaded it to this case file.

This report written by C. Sites
Badge # 662.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

*Eugene Police Department*OCA: **2005537****THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY****Case Status:** *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:****Offense:** *.F.***Investigator:** *SITES, C. (EPD662)***Date / Time:** *04/15/2020 14:56:10, Wednesday***Supervisor:** *HAYWOOD, T. (EPD357)***Supervisor Review Date / Time:** *04/17/2020 15:31:14, Friday***Contact:****Reference:** *Supplemental***NARRATIVE:**

On 04/14/20, I received the Eugene/ Springfield Fire Department (ESFD) incident report related to this case and a report prepared by Lane County Adult Corrections Nurse Brittani Standing from the Lane County Medical Examiner's Office.

In the ESFD report, [REDACTED]

I found Standing's report to be consistent with the sally port video and other jail staff reports with the additional information that she had been able to get a temperature of 97.7 degrees on Payne upon his arrival at the jail.

I scanned both documents and entered them into this casefile.

This report written by C. Sites
Badge # 662.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

Eugene Police Department

OCA : **2005537**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *NA*

Occurred:

Offense: *.F.*

Investigator: *SITES, C. (EPD662)*

Date / Time: *04/20/2020 17:29:47, Monday*

Supervisor: *CURRY, J. (EPD216)*

Supervisor Review Date / Time: *04/23/2020 07:16:17, Thursday*

Contact:

Reference: *Supplemental*

NARRATIVE:

On 04/13/20, EPD records staff alerted me to the fact Landon Payne still had upcoming court dates with both Marion County Circuit Court and Eugene Municipal Court, and these agencies had not been notified of his death which had occurred at Riverbend Hospital on 03/29/20.

The cause and manner of Landon Payne`s death are still pending with the Lane County Medical Examiner`s office as of this writing.

I recommend this report be forwarded to Marion County Circuit Court and Eugene Municipal Court for information.

This narrative written by C. Sites
Badge # 662.

Investigator Signature

Supervisor Signature

.F.

CASE SUPPLEMENTAL REPORT

Printed: 03/29/2021 11:52

*Eugene Police Department*OCA: **2005537**

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST***Case Mng Status:** *NA***Occurred:****Offense:** *.F.***Investigator:** *SITES, C. (EPD662)***Date / Time:** *08/07/2020 11:03:47, Friday***Supervisor:** *HAYWOOD, T. (EPD357)***Supervisor Review Date / Time:** *08/07/2020 11:47:55, Friday***Contact:****Reference:** *Supplemental***NARRATIVE:**

On 08/05/20, I received the toxicological report, Autopsy Report and ME Report relating to the death of Landon Payne from the Lane County Medical Examiner's Office. These documents have been attached to this report.

In reviewing these documents, I found Payne's blood had tested positive for the presence of methamphetamine (.51 mg/L) and amphetamine (.064 mg/ L). I know amphetamine to be a metabolite of methamphetamine.

Lane County Medical Examiner Davis concluded Payne's Cause of Death to be, "Anoxic encephalopathy due to resuscitated cardiopulmonary arrest during restraint by law enforcement." Doctor Davis identified "recent methamphetamine use; excited delirium; cardiomegaly; redundant heart valve," as being other significant conditions.

Payne's Manner of Death was listed as, "Undetermined."

This narrative written by C. Sites
Badge # 662.

Investigator Signature

Supervisor Signature

.F.

☐ Interpreter

Case No. 20-15532 Page 1 of 2

OREGON UNIFORM CITATION AND COMPLAINT

☒ CRIMINAL
☐ VIOLATION

☒ MANDATORY APPEARANCE (SEE BACK.)
☐ OPTIONAL APPEARANCE (SEE BACK.)

☐ NON-TRAFFIC
☐ TRAFFIC

STATE OF OREGON ☒ Municipal - 1102 Lincoln St.
CITY OF EUGENE ☐ Circuit—125 E. 8th Ave.
COUNTY OF LANE

☐ Juvenile—2727 Centennial Blvd.
See (Reverse Side.) Zip: 97401
☐ Other court, see below

COMPLAINT

751418

THE UNDERSIGNED CERTIFIES AND SAYS THAT:										
DEFENDANT	NAME: LAST		FIRST		MIDDLE					
	ADDRESS		CITY		STATE		ZIP			
	SSN OR OTHER ID		EMPLOYMENT/SCHOOL							
	DRIVER LICENSE NO.		STATE		<input type="checkbox"/> EMPLOYED TO DRIVE <input type="checkbox"/> PASSENGER					
	DATE OF BIRTH		RACE		SEX		WEIGHT		HAIR EYES	
TIME/PLACE	AT THE FOLLOWING TIME AND PLACE IN THE ABOVE MENTIONED STATE AND COUNTY:									
	OFFENSE DATE		MONTH		DAY		YEAR		TIME	
VEHICLE	DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC:									
	VEHICLE LICENSE NO.		STATE		<input type="checkbox"/> DRIVER NOT REQ. OWNER		ACCIDENT: <input type="checkbox"/> PERSONAL INJURY <input type="checkbox"/> PROPERTY DAMAGE			
	VEH. YR.		MAKE		MODEL		STYLE		COLOR	
	PUC NO.		<input type="checkbox"/> PEDESTRIAN <input type="checkbox"/> BICYCLE		<input type="checkbox"/> HAZ MAT <input type="checkbox"/> CDL RELATED					
	DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):									
OFFENSE(S)	1. VIOLATED (CITE ORS/ ORD. RULE)		4.910		<input type="checkbox"/> VIO. BASIC RULE <input type="checkbox"/> VIO. DES SPD		ALLEGED SPD		ZONE/PSD SPD	
	CHARGE		resisting arrest						PRES. FINE/SEC.	
	2. VIOLATED (CITE ORS/ ORD. RULE)								PRES. FINE/SEC.	
	3. VIOLATED (CITE ORS/ ORD. RULE)								PRES. FINE/SEC.	
I CERTIFY UNDER ORS 153.045 AND 153.990 THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT.										
DATE ISSUED		OFFICER'S SIGNATURE				OFFICER ID				
NAME OF ARRESTING PERSON, IF NOT OFFICER										
YOUR COURT APPEARANCE DATE, TIME, AND LOCATION										
MO	DAY	YEAR	TIME	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	LOCATION (IF NOT LISTED ABOVE):					
6	15	20	1:00		1102 Lincoln St					

751418

shelton turnbull EUGENE, OR (541) 687-1214 • 1-800-543-9062

☐ Interpreter

Case No. 20-05537 Page 2 of 2

OREGON UNIFORM CITATION AND COMPLAINT

☒ CRIMINAL
☐ VIOLATION

☒ MANDATORY APPEARANCE (SEE BACK.)
☐ OPTIONAL APPEARANCE (SEE BACK.)

☒ NON-TRAFFIC
☐ TRAFFIC

STATE OF OREGON ☒ Municipal - 1102 Lincoln St.
CITY OF EUGENE ☒ Circuit—125 E. 8th Ave.
COUNTY OF LANE

Juvenile—2727 Centennial Blvd.
See (Reverse Side.) Zip: 97401
☒ Other court, see below

COMPLAINT

751417

THE UNDERSIGNED CERTIFIES AND SAYS THAT:	
DEFENDANT	NAME: LAST <u>Payne</u> FIRST <u>Landon</u> MIDDLE <u>Jay</u>
	ADDRESS <u>3829 Meadow View Dr.</u>
	CITY <u>Eugene</u> STATE <u>OR</u> ZIP <u>97408</u>
	SSN OR OTHER ID _____ EMPLOYMENT/SCHOOL _____
	DRIVER LICENSE NO. _____ STATE <u>OR</u> <input type="checkbox"/> EMPLOYED TO DRIVE <input type="checkbox"/> PASSENGER
TIME/PLACE	DATE OF BIRTH <u>[REDACTED]</u> RACE <u>W</u> SEX <u>M</u> HEIGHT <u>6.1"</u> WEIGHT <u>210</u> HAIR <u>BLK</u> EYES <u>BRO</u>
	AT THE FOLLOWING TIME AND PLACE IN THE ABOVE MENTIONED STATE AND COUNTY: OFFENSE DATE MONTH <u>March</u> DAY <u>23</u> YEAR <u>2020</u> TIME <u>10:21</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM ON OR ABOUT: <u>3829 Meadow View Dr</u> AT OR NEAR LOCATION: <u>3829 Meadow View Dr</u>
VEHICLE	DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC: VEHICLE LICENSE NO. _____ STATE _____ <input type="checkbox"/> DRIVER NOT REG. OWNER <input type="checkbox"/> ACCIDENT: <input type="checkbox"/> PERSONAL INJURY <input type="checkbox"/> PROPERTY DAMAGE
	VEH. YR. _____ MAKE _____ MODEL _____ STYLE _____ COLOR _____
	PUC NO. _____ <input type="checkbox"/> PEDESTRIAN <input type="checkbox"/> HAZ MAT <input type="checkbox"/> BICYCLE <input type="checkbox"/> CDL RELATED
OFFENSE(S)	DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S): 1. VIOLATED <u>33.015</u> <input type="checkbox"/> VIO. BASIC RULE <input type="checkbox"/> VIO. DES SPD ALLEGED SPD _____ ZONE/PSD SPD _____ <input type="checkbox"/> RADAR <input type="checkbox"/> LIDAR <input type="checkbox"/> PACE CHARGE <u>Contempt of Court</u> PRES. FINE/SEC. <u>15,000</u>
	2. VIOLATED _____ CHARGE _____ PRES. FINE/SEC. _____
	3. VIOLATED _____ CHARGE _____ PRES. FINE/SEC. _____
	4. VIOLATED _____ CHARGE _____ PRES. FINE/SEC. _____
	5. VIOLATED _____ CHARGE _____ PRES. FINE/SEC. _____
I CERTIFY UNDER ORS 153.045 AND 153.990 THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT. DATE ISSUED <u>3/26/20</u> OFFICER'S SIGNATURE <u>D. Solerio</u> OFFICER ID <u>1148</u> NAME OF ARRESTING PERSON, IF NOT OFFICER _____ <input type="checkbox"/> COMPLAINT / INFORMATION FILED AT TIME OF CITATION?	
YOUR COURT APPEARANCE DATE, TIME, AND LOCATION MO DAY YEAR TIME <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM LOCATION (IF NOT LISTED ABOVE): <u>6 15 20 9:00 100 High St NE Salem 97301</u>	

751417

sholton turnbull EUGENE, OR (541) 567-1214 • 1-800-543-9062

Wed, Apr 28, 11:30 PM

Request for Public Records

Law Enforcement agencies and partners, please contact our agency directly 24/7 at 541-682-5131 and we will provide an e-mail address for you to send your requests to.

This is the public records request form for the Eugene Police Department. Please fill out this form completely to the best of your ability. The more information you provide, the easier it is for us to complete your request in a timely manner.

Please fill out one request form for each different request (different case numbers, incident numbers, names, addresses, etc.)

Requester First Name	Ardy
Requester Last Name	Tabrizian
Business Name	Field not completed.
Address 1	725 E. 14th Ave #213
Address 2	Field not completed.
City	Eugene
State	OR
Zip	97401
Phone Number	503-929-3053
Extension	Field not completed.
Email Address	ardytabrizian@gmail.com
Check this box if this will be used for news media purposes	Media request

Type of Request (select all that apply)	Police Report/CAD, Photographs, Other (please specify in Any Additional Information field)
Incident/Case Number	20-05537
Name(s) of Person(s) Involved	Landon Jay Payne
Date and Time of Incident	03/27/2020
Location of Incident	3832 Meadow View Dr - BLK, Eugene OR 97408; Lane County Jail
Any Additional Information	<p>My name is Ardy Tabrizian and I'm a reporter for Eugene Weekly. I am filing a media request for the following records:</p> <p>Any and all records compiled to produce any report for Eugene Police Dept. Case No. 20-05537 (Landon Jay Payne), including but not limited to any investigatory reports performed by EPD's violent crimes unit.</p> <ul style="list-style-type: none">• Any and all photos• Any and all video (including from cameras in the jail's sally port, officer body cameras and EPD officer Jairo Solorio's rear-facing camera)• Any and all audio• Any and all statements and memorandums collected• Any and all additions to the report• Any and all drafts of the report <p>This request also covers any reports that were written or provided by any other law enforcement agency, that mention any incident on March 27, 2020 involving Landon Payne.</p> <ul style="list-style-type: none">• Assistant City Attorney Ben Miller• Deputy Justin Wilson• Deputy Kimberly Fulton• Deputy Emma Edwards• Deputy Colter Gawith• Deputy Santini• Deputy Nathan Gent• Deputy Michael Baeuerlen• Sgt. Lance Jester• Deputy Stephen Foley• Deputy Joseph Fisher• Deputy Jeremy Fifer• Deputy William McClure
Signature of person making the request	Ardy Tabrizian

PRR 1946 cost estimate Payne PRR FW: Online Form **Submittal**: Request for Public Records Inbox x

MCLAUGHLIN Melinda V

to me ▾

Thu, May 6, 3:09 PM (13 days ago)



Hi Ardy,

Here is the response:

Please note the Oregon State Law (ORS 192.324(4)(a)) authorizes the City to establish fees "reasonably calculated to reimburse it for the actual cost in making records available." We are able to extend you a media discount of 25 percent, which was set by the City Administration.

Pursuant to ORS 192.345(40) the City does not provide Body Worn Camera video.

Also, you had requested materials that would be in the jurisdiction of Lane County, including sally port video and reports by Lane County Sheriff's Office personnel. You will need to make a request to that agency as we are only allowed to provide records from our agency.

Documents from use of force are part of an open personnel action. Those records would therefore be exempt.

What follows is our cost to provide the following:

ICV

Review (\$41.31/hour X .50)	\$20.65
CEPDJBS Redactions (\$50.79/hour X 5 hrs.)	\$245.50
CEPDRCG no redactions	No charge
CEPDRCG no redactions	No charge
CEPDRCG no redactions	No charge

911/Dispatch Audio \$300

Audio Police Interview (death investigation)

Angela Payne 45:44 minutes (\$50.79 x 1.5 hours)	\$76.18
Janice Gilmour 12:47 minutes (\$50.79 x .5 hours)	\$25.39
Keith Heyward 6:16 minutes (\$50.79 x 0.2 hours)	No charge
Megan/Joshua 9:47 minutes (\$50.79 x 0.3 hours)	No charge

Total	\$667.72
Total After Media Discount Applied (25%)	\$500.79

Once the City receives payment of \$500.79, staff will begin processing your request. As we begin work, our estimates of the time it will take to process your request and/or the cost of processing your request may change. If we believe it will take longer or cost substantially more to process your request than we originally anticipated, we will provide you with an updated time and/or cost estimate. If the estimated cost exceeds the actual cost of responding to your request, the City will refund the difference. If the actual cost of processing your request exceeds the amount you have paid the City, you will be required to pay the difference before the City will provide the records you have requested.

If you would like to receive these records, you may pay the fee in person at 300 Country Club Rd, Eugene, or mail in a check/money order to the same address. You may also pay online.

When making payment, **please reference the case number**. Once payment is received, we will locate and copy the records noted in your request. If payment is not received within 60 days, your request will be closed.

Pursuant to ORS 192.329(3)(a) the City will not begin to compile responsive documents until the fee is paid. Please let me know how you would like to proceed within 60 days, or your request will be closed. If an exemption has been asserted, you may seek review of that decision pursuant to ORS 192.415.

Sincerely,

Melinda McLaughlin