

**Memorandum of Understanding  
Between The  
Bend Police Association  
And the City of Bend**

This Memorandum of Understanding is entered into by the Bend Police Association (Association) and the City of Bend (City) for the purpose of memorializing the agreement between the parties as it relates to the Fiscal Year 2020 and Fiscal Year 2021 of the Community Enhancement Program (CEP).

This Memorandum of Understanding replaces the CEP Phase I Memorandum of Understanding, the CEP Phase II Memorandum of Understanding, and the CEP Phase III Memorandum of Understanding, their provisions and relevant past practice(s).

This agreement is for the duration of July 1, 2019 to June 30, 2021 and ends with the evaluation period in 2021 .

The Parties agree as follows:

Recitals

1. Community Enhancement Program (CEP) preamble:

The City is a strong proponent of community law enforcement and local engagement with members of the public. The City also recognizes the value of experienced Officers' involvement with the community and public. The City of Bend Police Department (Department) seeks to develop yearly goals and objectives to meet law enforcement and community needs.

This program is designed to promote and embody the department mission "To Protect and Serve" involving methods of utilizing community policing to the utmost possible, and to do so while embracing and exemplifying our department vision and values of teamwork, integrity and excellence.

The *Community Enhancement Program* (CEP) program is not intended to replace our commitment to enforcing laws, addressing criminal behavior, and solving problems. Rather, it supports and enhances our mission. CEP helps to direct some of our discretionary time toward interactions with our community by working with them as partners. It also focuses on building relationships within our community that may help deter or even prevent future crimes and/or problems from arising.

The Department, along with input from the Association, developed a program called the Community Enhancement Program (CEP) in efforts to focus on Communication, Education and Public Participation between law enforcement and the public. The initial trial phase (Phase I) was from January 1, 2017 to June 30, 2017. The second phase (Phase II) was from July 1, 2017 to June 30, 2018. The third phase (Phase III) was from July 1, 2018 to June 30, 2019.

The intent of this agreement is to memorialize the Fiscal Year 2020 to Fiscal Year 2021 of the Community Enhancement Program (CEP) from July 1, 2019 to June 30, 2021.

2. Eligibility:

This eligibility includes probationary employees. The trainer and trainee will each be separately responsible for meeting the time requirement. For example, if they go out together on a CEP detail, both the trainer and trainee will both get credit for the time and will be required to log their time separately.

CEP is a voluntary program. No one will be required to participate in the program if they do not agree with the program guidelines or conditions. Participants will need to have a signed form declaring they choose to participate to be eligible.

**For Fiscal Year 2020:** Employees must be City of Bend Police Department Full Time employees represented by the Police Association as of July 1, 2019. Employees hired after July 1, 2019 will not be eligible. The department will evaluate each employee's performance for the phase period to determine if the required hours were met by the individual participant. Employees must remain employed in an Association-represented position until June 30, 2020 in order to be eligible for the enhancement pay at the end of the CEP phase. There is no compensatory value upon separation of employment prior to approval. There will be no pro-ration of enhancement pay for employees due to separation or discontinuation of employment prior to June 30, 2020.

**For Fiscal Year 2021:** Employees must be City of Bend Police Department Full Time employees represented by the Police Association as of July 1, 2020. Employees hired after July 1, 2020 will not be eligible. The department will evaluate each employee's performance for the phase period to determine if the required hours were met by the individual participant. Employees must remain employed in an Association-represented position until June 30, 2021 in order to be eligible for the enhancement pay at the end of the CEP phase. There is no compensatory value upon separation of employment prior to approval. There will be no pro-ration of enhancement pay for employees due to separation or discontinuation of employment prior to June 30, 2021.

### 3. Required Hours and Recording of Hours:

All participants are required to log and monitor their CEP hours. Participants are responsible for documenting their own time into the CEP program located in SharePoint with the understanding that if they fail to do this, their time will not count toward their required CEP hours. Only documented hours for CEP activities approved by a division commander will be included to determine eligibility. Approved programs for Patrol, Detective, Training and Support Services are attached to this document as appendices 1 through 5.

Each participant will be required to complete 20 hours of CEP work in the 12 month period, in order to be eligible for incentive pay. Participants will not be allowed to perform more than 10 hours of CEP during the last quarter (April through June). This is to ensure participants perform the bulk of their CEP time in an even, balanced manner to accomplish the goal of regular, positive interaction with our community members throughout the year. Participants are expected to complete their CEP hours in a reasonably consistent manner throughout the year to avoid impacting operations by attempting to accrue CEP hours in a short period of time.

If a special circumstance arises that requires a modification from this procedure for a participant, Chief approval will be required. An example may be an unforeseen illness or injury that prohibits a participant from accruing CEP hours. A participant's consistent accrual of CEP hours should be considered by the Chief when considering a modification request. Consistent CEP participation throughout the year is anticipated to benefit both participants and the Department.

### 4. Goals for CEP:

- a. Increased contact with public at large including community groups.

- b. Increased contact with youth and schools.
- c. Improved downtown livability and public experience.
- d. Improve communication with general public and businesses.
- e. Positive interaction with Veteran's groups/organizations.

The programs to attain these goals have been decided upon by management with input and suggestions from the association members. The specific programs and events approved for CEP hours vary by division but are based on attaining the above goals. Approved programs for Patrol, Detective, Training and Support Services are attached to this document as appendices 1 through 5.

5. Incentive:

After Fiscal Year 2020 of this agreement, each participant will be evaluated for meeting the goals. Upon approval by the City, each participant in the team who accrued at least 20 CEP hours will receive a lump sum payment of 2% of all compensation paid between July 1, 2019 and June 30, 2020. The City will make the payment the first pay period of October after the phase period ends. Payment date is subject to change if mutually agreed to by both the Association and the City in writing. Payment is subject to applicable withholdings.

After Fiscal Year 2021 of this agreement, each participant will be evaluated for meeting the goals. Upon approval by the City, each participant in the team who accrued at least 20 CEP hours will receive a lump sum payment of 2% of all compensation paid between July 1, 2020 and June 30, 2021. The City will make the payment the first pay period of October after the phase period ends. Payment date is subject to change if mutually agreed to by both the Association and the City in writing. Payment is subject to applicable withholdings.

6. Limitations:

The work performed to meet these goals will be performed during normally scheduled work hours (subject to flextime within the same day's shift with supervisory approval) and will not incur overtime. Employees are responsible to maintain work performance expectations for normal duties and may be directed to perform normal work duties prior to activities related to this program.

7. Denial of program incentive:

In the event an employee contests denial of the incentive, the employee may provide rebuttal to a panel consisting of two Department representatives, two Association Executive Board members, and one additional panel member consisting of a management level employee from City Hall as decided by the Department. The Department will consider the recommendations from the Association for the fifth panel member. The decision of the panel will be final and binding and is not subject to the grievance procedures of the Collective Bargaining Agreement between the Association and the City. The panel is not intended to be conducted as an arbitration proceeding.

8. Duration of Agreement: This agreement is for July 1, 2019 to June 30, 2021, and ends with the evaluation period of 2021. During the month of October, 2020, either party may reopen this MOU for bargaining limited to the term of this agreement. The reopener is not for any other terms of the collective bargaining agreement and is a reopener under ORS 243.712.

9. This agreement is subject to ratification by the respective parties in conjunction with ratification of the 2019-2022 collective bargaining agreement.

This Memorandum of Understanding is effective this ~~XX~~<sup>23<sup>rd</sup></sup> day of September, 2019.



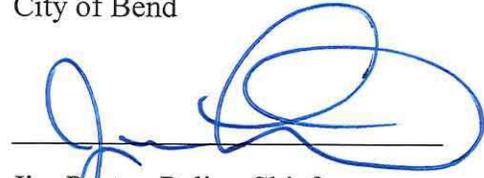
Rob DuValle, HR Director

City of Bend



Leo Lotito, Bend Police

Police Association



Jim Porter, Police Chief

City of Bend

## **FY 2020/2021 Patrol Community Enhancement Program**

The following contains some guiding information and a related chart outlining the (CEP) as it relates to patrol. Listed below are some related explanations and/or clarifications.

1. Dayshift is responsible for meeting goals in the traffic safety school zones and in-school programs, as well as other school/youth/senior programs within our community.
2. Midshift is responsible for meeting goals in school/youth/senior and downtown enhanced visibility programs.
3. Nightshift is responsible for meeting goals in nighttime downtown enhanced visibility programs.
4. Although the intention of the projects should be focused on interaction with our community, we realize some necessary traffic stops and/or person stops may occur during the execution of those projects. In those cases those stops will count toward the patrol minimum standards for self-initiated contacts. If the scope of the traffic/person stop is prolonged and becomes criminal and investigative in nature, then that officer would no longer be considered on CEP.
5. The programs are broad areas to support meeting the MOU goals of CEP. The specific projects or ways of meeting these goals when aligned closely to the established programs will continue to be formulated by the patrol teams with their respective Sergeants. New activities or events within programs that require ongoing involvement, extended resources or are outside of the established programs will then need to be presented to the Lts/Cpts for final discussion, approval and implementation.
6. The goals need to be attained over the course of the year. However, the intention is to attain the goals through as much daily or regular interaction with our community as possible. We do realize that some of the programs will likely have a component that will allow for reasonable variance and discretion in this area.

Shift	Commitment	Programs	Programs Defined	Focus
Days	<p>Total of 20 hours per member during the 12 month CEP time. (FY 2020: July 1, 2019 – June 30<sup>th</sup>, 2020 FY 2021: July 1, 2020 – June 30<sup>th</sup>, 2021).</p> <p>(Seeking a balance of time commitment between the programs, and over the entire 12 months as per the MOU.)</p>	Traffic Safety in School Zones	<p>1. <b>In-vehicle traffic safety:</b> Traffic stop —or—</p> <p>2. <b>Other traffic safety zone contact/program:</b> —or—</p> <p><b>*When schools are <i>not</i> in session:</b> Perform other CEP programs as proposed and approved.</p>	<p><b>School Zones</b> Intention is promoting safety through <b>visibility</b> in school zones.</p>
		School / Youth / Senior Citizens / Veterans	<p>3. <b>School / Youth / Senior / Veteran programs:</b> Programs focusing on interaction with the above groups. (i.e., lunch, recess, reading programs, education, crosswalk detail, etc.)</p>	<p><b>Schools / Youth / Senior Citizens / Veterans</b> Seeking a balance between the groups. When schools are <i>not</i> in session, focus on other youth-serving programs (i.e., B&amp;Gs Clubs of Bend, Kids Inc., skate parks, etc.).</p>
Mids	See above	School / Youth / Senior Citizens / Veterans	<p>1. <b>School / Youth / Senior / Veteran Programs:</b> Programs focusing on interaction with the above groups. (i.e., lunch, recess, reading programs, education, etc.)</p>	<p><b>Schools / Youth / Senior Citizens / Veterans</b> Seeking a balance between the groups. When schools are <i>not</i> in session, focus on other youth-serving programs (i.e., B&amp;Gs Clubs of Bend, Kids Inc., skate parks, etc.).</p>
		Downtown 1200–2200	<p>2. <b>Enhanced Visibility:</b> Programs accomplishing interactions with citizens and businesses.</p>	<p><b>Communicating with Business Owners &amp; Citizens</b> le: Needs and services that police can help support.</p> <p>NOTE: Enhanced visibility may also be conducted at Old Mill area if appropriate due to events occurring or other.</p>
Nights	See above	Downtown 2000–0300	<p>1. <b>Enhanced Visibility:</b> 2000–0300</p>	<p><i>Example:</i> <b>“Take Back the Night”</b></p>

See above

Traffic Safety in School Zones

1. **In-vehicle traffic safety:**  
Traffic stop  
—or—
  2. **Other traffic safety zone contact/program:**  
—or—
- \*When schools are *not* in session:**  
Perform other CEP programs as proposed and approved.

**School Zones**  
Intention is promoting safety through **visibility** in school zones.

School / Youth / Senior Citizens / Veterans

3. **School / Youth / Senior/ Veteran Programs :**  
Programs focusing on interaction with the above groups. (i.e., lunch, recess, reading programs, education, after school programs, special school events, pet education, hospital, etc.)

**Schools / Youth / Senior Citizens / Veterans**  
Seeking a balance between the groups. When schools are *not* in session, focus on other youth-serving programs (i.e., B&Gs Clubs of Bend, Kids Inc., skate parks, pet stores, hospital, etc.).

Downtown 1200–2200

4. **Community Outreach:**  
Programs accomplishing interactions with citizens and businesses.

**Communicating with Business Owners & Citizens**  
le: Needs and services that police can help support.  
  
NOTE: Enhanced visibility may also be conducted at Old Mill area if appropriate due to events occurring or other.

**FY 2020/2021 Detective Community Enhancement Program**

1. Veteran Outreach

- Detectives may partner with COVO Representatives to spend time and provide assistance to Veterans – professional clothing for job interviews, offer assistance if they have been victims of crime, give information regarding services in bend, food donations, etc.
- **(Multiple visits and hours throughout the year)**

2. Downtown Operations/CSEC

- Bend PD Detectives may conduct downtown operations to be a visual presence and focus on human trafficking
- We may focus on city ordinance and state law violations taking place in the downtown area, as well as focus on the current “exclusion list”
- Additionally obtain which businesses and buildings downtown have internal/external surveillance cameras for future investigations and information
- **(2 operations and various hours throughout the year)**

3. Bend School Safety Presentations

- Bend PD Detectives may conduct multiple school presentations involving Internet safety, phone/social media safety, and informing the schools and students of the increased dangers of web based human trafficking in Central Oregon
- **(Multiple visits and hours throughout the year)**

4. Detectives Other (Blood Drives, Snow Removal, Torch Run, Shop W/ Cop Etc.)

- Multiple community contacts including shoveling snowy driveways, blood drives, Shop W/ a Cop, and Special Olympics Torch Run
- **(Multiple operations and hours throughout the year)**

## FY 2020/2021 IT Community Enhancement Program

During the 2019/2020 fiscal years, IT will support patrol and investigations with their respective CEP programs. They will bring IT knowledge, experience and perspectives that will enhance community projects. The following projects have been identified that members of the IT unit will assist with.

### 1. Veteran Outreach

- Partner with detectives and COVO representatives to provide time and assistance to Veterans. Assist detectives during visits that focus on helping prepare resumes, cover letters, and job applications for employment. Help with professional attire for job interviews. Assist with food donations. Provide technical assistance with utilizing technology.
- **(Multiple visits and hours throughout the year)**

### 2. Downtown Operations/CSEC

- IT may provide support to Detectives during downtown operations focusing on human trafficking and quality of life issues. These operations include surveillance and technical support that can be enhanced with IT assistance.
- This will allow IT insight into investigative needs that can be addressed more quickly to support community operations.
- **(2 operations and various hours throughout the year)**

### 3. Bend School Safety Presentations

- IT may support detectives during multiple school presentations involving Internet safety, phone/social media safety, and informing the schools and students of the increased dangers of web based human trafficking in Central Oregon
- IT will offer an IT experience and perspective to these projects to enhance presentations and offer technical assistance.
- **(Multiple visits and hours throughout the year)**

### 4. Patrol Ride a Longs during CEP Events

- IT may ride with patrol officers during patrol CEP events (i.e. crosswalk operations and school zones).
- IT may provide any needed IT services, such as technology and processes, to support community programs.
- IT may gain first-hand knowledge of patrol needs to determine best IT practices for supporting community projects.

### 5. Other (Blood Drives, Snow Removal, Torch Run, Shop W/ Cop Etc.)

- IT may partner with uniformed patrol officers and investigators to support community contacts. These projects could include shoveling snowy driveways, blood drives, Shop W/ a Cop, and Special Olympics Torch Run
- **(Multiple operations and hours throughout the year)**

**FY 2020/2021 Training Community Enhancement Program**

1. Community presentations to schools, churches, retirement homes, medical centers, and neighborhood associations regarding sight safety, threat assessments, de-escalation, and active threats.
2. Working with the Deschutes County Mobile Library to do presentations to the Hispanic community about Law Enforcement Resources and the Bend Police Department
3. Working with Bend/La Pine School District with suicide prevention and the “First Step” App for anonymous reporting of students in crisis.

**FY 2020/2021 Non-Sworn Community Enhancement Program**

The following contains some guiding information and a related chart outlining the (CEP) as it relates to non-sworn staff. Listed below are some related explanations and/or clarifications.

1. Employees are responsible for meeting goals referenced in the MOU Recitals 4: Goals for CEP.
2. The programs are broad areas to support meeting the MOU goals of CEP. The specific projects or ways of meeting these goals when aligned closely to the established programs will continue to be formulated by the patrol teams with their respective Sergeants. New activities or events within programs that require ongoing involvement, extended resources or are outside of the established programs will then need to be presented to the Business Manager for final discussion, approval and implementation.
3. The goals need to be attained over the course of the year. However, the intention is to attain the goals through as much daily or regular interaction with our community as possible. We do realize that some of the programs will likely have a component that will allow for reasonable variance and discretion in this area.

	<b>Commitment</b>	<b>Programs</b>	<b>Programs Defined</b>
<b>Non-Sworn Division</b>	Total of 20 hours per member during the 12 month CEP time. (FY 2020: July 1, 2019 – June 30 <sup>th</sup> , 2020 FY 2021: July 1, 2020 – June 30 <sup>th</sup> , 2021).  (Seeking a balance of time commitment between the programs, and over the entire 12 months as per the MOU.)	School / Youth / Senior Citizens / Veterans	<b>1. School / Youth / Senior programs / Veterans:</b> Programs focusing on interaction with the above groups. (i.e., Kids Center, Boys and Girls Club, reading programs, education, Central Oregon Veterans Outreach, Bend High School bike repair club, school events, etc.)
		Community Events	<b>2. Community Outreach</b> (i.e. festival booths, drug take back events, etc.)
		Sworn Collaboration	<b>3. Non-sworn employees can collaborate with sworn staff on any approved CEP project.</b> (i.e., lunch, recess, reading programs, education, crosswalk detail, downtown, etc.)