

Dear LESC Commissioners,

March 25, 2026

Following on my [verbal comment](#) at the March 5th meeting, I'm writing to provide additional reasons to encourage the LESC to establish standards for misconduct review processes and procedures. This is important because the first step in any disciplinary process is the *review* of the allegations of misconduct to determine if misconduct actually occurred. If the review and determination process is faulty, the discipline matrix becomes irrelevant.

Near the end of the [March 5th meeting](#), Commissioner Schuback noted that law enforcement agencies in Oregon generally have in-house policies in place to review complaints and allegations of misconduct, and that Lexipol traditional plan policies have a complaints procedure. While this may be true, my lived experience is that the review process needs further consideration.

In 2021, OIR Group published a [Critical Incident Review](#) of the traffic stop, assault and subsequent shooting that led to the death of my child in 2019. Pages 18-31 of the PDF file cover the review process in great detail and note multiple inadequacies. I urge you to read those shortcomings before assuming that adequate review processes and procedures are in place for all law enforcement agencies within Oregon. Here is one example from the report:

“The Review Board memo was a little over a page in length and provided no insight whatsoever into the analysis that caused the board to conclude that Sergeant Lewis’ use of deadly force comported with SPD policy. No facts are cited in support of that conclusion, and the ten factors that SPD policy requires a body to consider in determining the reasonableness of any use of force are neither identified nor discussed. In short, the board’s conclusion is not supported by facts or analysis and is accordingly not helpful in explaining – or justifying –the decision that was reached.”

And here is another:

“The involved officers who repeatedly punched Kenny in the head prior to the use of deadly force referred to their use of force as “focus” blows. Also sometimes referred to as “distraction strikes,” hitting the subject in this manner has the purported aim of distracting the individual so that officers can then effectively grab arms and successfully bring the individual into custody. However, no involved officer articulated the goal of the focus blows in this way; rather, one officer indicated that one potential outcome of the punches to the head would be to render Kenny unconscious. ... The Use of Force Board did not consider whether the “focus blow” force option used by three of the four involved officers was effective,

advisable, or worthy of reconsideration. It should have. The board could have and should have recognized that the force option did not achieve the desired outcome in this case, and instead made it more likely that Kenny would take action to flee the continued pummeling of her face and head. The board could and should have recognized that the option caused a fracture of Officer Akins's hand, and that Akins had similarly been injured when he repeatedly punched another subject in the head in a prior incident."

This second quote from the OIR report is especially relevant because it is completely at odds with an off-the-cuff example, given at an earlier LESC subcommittee meeting on Use of Force and Assault [on February 26](#), as quoted below:

*"The analysis starts with what was the punch...Was that a closed fist strike for purposes of gaining suspect compliance and if so, we analyze it as a use-of-force to include the constitutional policy questions and the statute issues. If I am an on-duty police officer and I get mad at somebody who is lippy with me during a traffic stop and I cold-cock him in the face, **that's going to get analyzed as an assault.**"*

The Commissioners seem to take for granted that if an officer punches someone during a traffic stop, agencies will necessarily appropriately review and analyze these incidents. However, I can assure the Commission that under Springfield's so-called review process in 2019, the multiple closed-fist focus blows to my child's face, while unarmed and passively restrained in a seat-belt, **weren't analyzed at all**, let alone as an assault. So even if a discipline matrix had existed at the time, it would have been completely irrelevant because the review process itself was so utterly flawed.¹ And indeed, not one single officer involved in the incident faced any administrative consequences—there was not even a debriefing with a supervisor.

The second issue is one of perception. The notion that Lexipol has developed a policy around investigating complaints is not reassuring given some reporting on the biases that Lexipol policies introduce into policing. (For example, a quote from [this 2022 article](#), which is also published on [Apple News](#), states, *Lexipol... has made a cottage industry of writing manuals that are widely recognized as being police friendly, marketing them using taglines like "Is Your Use of Force Policy Properly Protecting You?"*)

Finally, there is the LESC's own statement of purpose on the website which states,

*"The LESC was established ... to develop and adopt rules to... set disciplinary standards **and procedures** [my emphasis], by which*

¹ OIR Group also provided a critical incident review of the deadly shooting of [Jacob Macduff in Tigard](#) roughly two years later with similar findings of an inadequate internal review process.

*law enforcement agencies ... make determinations regarding
alleged misconduct by law enforcement officers..."*

If the objective is to make the discipline matrix effective, the Commission needs to require minimum standards for review processes, and ensure they are actually used. Ideally there would also be a requirement for public disclosure of the process and the results for each incident that is investigated, with the data reported in aggregate without personally identifiable information.

Thank you for considering my point of view as an impacted family member with detailed personal (and independently documented) knowledge of one particular incident that encompasses a wide range of police use-of-force issues. I'm sure my experience is not unique and that Commissioners, or the LESC support staff, could find evidence of other inadequate internal reviews to motivate the need for Commission work on this topic.

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