

Enrolled House Bill 2102

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Oregon Criminal Justice Commission)

CHAPTER

AN ACT

Relating to Law Enforcement Contacts Policy and Data Review Committee; amending sections 6, 8 and 9, chapter 687, Oregon Laws 2001; repealing section 11, chapter 687, Oregon Laws 2001; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 11, chapter 687, Oregon Laws 2001, is repealed.

SECTION 2. Section 6, chapter 687, Oregon Laws 2001, is amended to read:

Sec. 6. (1) There is created the Law Enforcement Contacts Policy and Data Review Committee consisting of 11 members appointed by the Governor [*on or before October 1, 2001*].

(2) The purpose of the committee is to receive and analyze demographic data to ensure that law enforcement agencies perform their missions without inequitable or unlawful discrimination based on race, color or national origin.

(3) To achieve its purpose, the committee shall collect and analyze demographic data to:

(a) Provide information to assist communities and state and local law enforcement agencies in evaluating the policies, training and procedures of law enforcement agencies regarding the treatment of individuals during stops and other contacts with law enforcement;

(b) Inform state and local law enforcement agencies and communities about law enforcement practices; and

(c) Provide opportunities for communities and state and local law enforcement agencies to work together to increase public trust and confidence in law enforcement and to enhance the capacity of communities and law enforcement agencies to provide more effective public safety services.

(4) The committee shall:

(a) Solicit demographic data concerning law enforcement stops and other contacts between state and local law enforcement agencies and individuals;

(b) Publicize programs, procedures and policies from communities that have made progress toward eliminating discrimination based on race, color or national origin during law enforcement stops and other contacts with individuals;

(c) Provide technical assistance, including refinement of the minimum data elements as necessary for effective analysis, to state and local law enforcement agencies that desire to begin collecting demographic data;

(d) Provide technical assistance to communities and state and local law enforcement agencies that desire to engage in local efforts to involve individuals in the establishment and implementation of programs, procedures and policies that will advance the goal of section 5, **chapter 687, Oregon Laws 2001** [*of this 2001 Act*];

(e) Obtain resources for independent analysis and interpretation of demographic data collected by state or local law enforcement agencies;

(f) Accept and analyze demographic data collected by a state or local law enforcement agency if requested by a state or local law enforcement agency and if resources are available; and

(g) Report to the public the results of analyses of demographic data.

(5) In carrying out its purpose, the committee may *[not receive or analyze any data unless the]* **request and receive data files from participating law enforcement agencies and may analyze data for each reported contact [includes at least the following information:]. These data files should contain as many of the following items of information as are collected by the participating law enforcement agency:**

(a) The reason for the law enforcement stop or other contact;

(b) The law enforcement officer's perception of the race, color or national origin of the individual involved in the contact;

(c) The individual's gender;

(d) The individual's age;

(e) Whether a search was conducted in connection with the contact, and if so, what resulted from the search;

(f) The disposition of the law enforcement action, if any, resulting from the contact; and

(g) Additional data as recommended by the committee that state and local law enforcement agencies should collect and submit.

(6) Data received by the committee for analysis under this section may not identify a particular law enforcement officer or a particular individual whose demographic data is collected by a state or local law enforcement agency.

(7) Members of the committee shall appoint a chairperson from the members of the committee. Members of the committee are not entitled to compensation or expenses and shall serve on the committee on a volunteer basis.

(8) *[The Oregon Criminal Justice Commission]* **Portland State University** shall provide administrative support staff necessary to the performance of the functions of the committee.

[(9) All agencies, departments and officers of this state are requested to assist the committee in the performance of its functions and to furnish such information and advice as the members of the committee consider necessary to perform their functions.]

(9) All agencies of state government, as defined in ORS 174.111, are requested to assist the committee in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the committee consider necessary to perform their duties.

(10) The committee shall make findings and issue recommendations for action to achieve the purpose of this section. The committee shall submit a report containing its findings and recommendations to the appropriate interim legislative committees *[on or before December 1, 2002, and annually thereafter]* **annually** on or before December 1.

(11) After completion of the analysis of the data from at least two state or local law enforcement agencies, the committee may recommend the collection of additional data elements.

(12) This section does not prohibit a state or local law enforcement agency from collecting data in addition to the *[minimum information required]* **information listed** in subsection (5) of this section.

SECTION 3. Section 8, chapter 687, Oregon Laws 2001, is amended to read:

Sec. 8. *[The Oregon Criminal Justice Commission]* **Portland State University** may accept contributions of funds from the United States, its agencies, or from any other source, public or private, and agree to conditions thereon not inconsistent with the purposes of the Law Enforcement Contacts Policy and Data Review Committee.

SECTION 4. Section 9, chapter 687, Oregon Laws 2001, is amended to read:

Sec. 9. All moneys received by *[the Oregon Criminal Justice Commission]* **Portland State University** under section 8, **chapter 687, Oregon Laws 2001, [of this 2001 Act]** shall be paid into the

State Treasury and deposited into the General Fund to the credit of [*the Oregon Criminal Justice Commission*] **Portland State University**. Such moneys are appropriated continuously to [*the Oregon Criminal Justice Commission*] **Portland State University** for the purposes of section 6, **chapter 687, Oregon Laws 2001** [*of this 2001 Act*].

SECTION 5. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.

Passed by House March 5, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate May 8, 2007

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President of Senate

Received by Governor:

.....M.,....., 2007

Approved:

.....M.,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2007

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Secretary of State