

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)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes Law Enforcement Contacts Policy and Data Review Committee permanent. Removes restrictions on data that committee may receive and analyze.

Transfers administration of committee from Oregon Criminal Justice Commission to Portland State University.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Law Enforcement Contacts Policy and Data Review Committee; amending sections 6, 8
3 and 9, chapter 687, Oregon Laws 2001; repealing section 11, chapter 687, Oregon Laws 2001; and
4 declaring an emergency.

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

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 Section 11, chapter 687, Oregon Laws 2001, is repealed.**

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

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

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

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

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

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

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

22 (4) The committee shall:

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

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

28 (c) Provide technical assistance, including refinement of the minimum data elements as neces-
29 sary for effective analysis, to state and local law enforcement agencies that desire to begin collect-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 ing demographic data;

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

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

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

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

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

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

17 (b) The law enforcement officer's perception of the race, color or national origin of the individ-
 18 ual involved in the contact;

19 (c) The individual's gender;

20 (d) The individual's age;

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

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

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

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

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

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

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

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

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

45 (11) After completion of the analysis of the data from at least two state or local law enforcement

1 agencies, the committee may recommend the collection of additional data elements.

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

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

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

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

11 **Sec. 9.** All moneys received by [*the Oregon Criminal Justice Commission*] **Portland State Uni-**
12 **versity** under section 8, **chapter 687, Oregon Laws 2001**, [*of this 2001 Act*] shall be paid into the
13 State Treasury and deposited into the General Fund to the credit of [*the Oregon Criminal Justice*
14 *Commission*] **Portland State University**. Such moneys are appropriated continuously to [*the Oregon*
15 *Criminal Justice Commission*] **Portland State University** for the purposes of section 6, **chapter 687,**
16 **Oregon Laws 2001** [*of this 2001 Act*].

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

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