

Enrolled
House Bill 3495

Sponsored by Representative OLSON

CHAPTER

AN ACT

Relating to Law Enforcement Contacts Policy and Data Review Committee; creating new provisions; and amending ORS 131.906.

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

SECTION 1. ORS 131.906 is amended to read:

131.906. (1) There is created the Law Enforcement Contacts Policy and Data Review Committee consisting of 11 members appointed by the Governor.

(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 ORS 131.905;

(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 request and receive data files from participating law enforcement agencies and may analyze data for each reported contact. 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.]

(7) The committee shall elect one of its members to serve as chairperson.

(8) Members of the committee who are not members of the Legislative Assembly are not entitled to compensation, but may be reimbursed for actual and necessary travel and other expenses incurred by them in the performance of their official duties in the manner and amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions of the committee shall be paid out of funds appropriated to Portland State University for purposes of the committee.

[(8)] **(9)** Portland State University shall provide administrative support staff necessary to the performance of the functions of the committee.

[(9)] **(10)** 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)] **(11)** 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 annually on or before December 1.

[(11)] **(12)** 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)] **(13)** This section does not prohibit a state or local law enforcement agency from collecting data in addition to the information listed in subsection (5) of this section.

SECTION 2. The amendments to ORS 131.906 by section 1 of this 2009 Act apply to expenses incurred on or after the effective date of this 2009 Act.

Passed by House June 9, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate June 24, 2009

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President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State