

Testimony by Will Fuller before the Oregon House Committee on the Judiciary – Monday, March 30, 2015

Chair Barker, members of the Judiciary Committee, I am here today to speak in favor of HB 2002 setting up orderly procedures for handling complaints about profiling by law enforcement agencies.

My name is Will Fuller. I live at 3824 SW Canby Street in Portland, in Representative Williamson's District 36.

You are hearing from others about the seriousness of profiling abuses, and the need for protection of people targeted by profiling. I want to focus on something a bit different: the benefits of the bill for law enforcement agencies and for people like myself who are not the usual victims of profiling abuses.

I see two major benefits of this bill. First, it builds respect for law enforcement agencies by providing enhanced accountability and effective training of law enforcement officers.

Second, it protects the general public by increasing respect for people who now feel powerless and victimized by the current system, and who suffer from a long history of unequal enforcement of the law. Profiling unfairly targets a large group of people as suspects because they look like a small group of lawbreakers, and that unfair targeting fosters a sense of powerlessness and victimhood that can lead some to lash out lawlessly.

Law enforcement officers have a difficult, dangerous job, with enormous responsibility. They have in their hands the power to use deadly force. When a split-second decision in a volatile situation means the difference between life and death, such power is a power that every officer takes very seriously, but they cannot rely on that power for their day-to-day work. Instead, they rely on a social compact short of deadly force, on the respect of citizens for the law, on training and social skills to command obedience and cooperation with the law.

And they get profiled, too. Some people see the uniform, see the badge, and see the enemy. When officers get profiled this way, citizen respect for the law, and law officer respect for the citizen, both suffer. And when two people profile each other as a threat, an enemy, and one has the authority to use force, including deadly force, the outcome can be tragic. We can, and must, take steps to avoid such tragedies.

This bill empowers responsible State agencies, the Oregon Criminal Justice Commission and the Attorney General's office, to set up reasonable procedures to build accountability and enforce the professionalism and proper respect for all citizens that is the hallmark of good law enforcement. These procedures will not only improve law enforcement, but they send a message to the people who feel that the system doesn't protect them. That message: the system is being changed, to protect them just as it protects people like me.

The general public depends for its safety on widespread belief that law enforcement is basically fair. The general public is put in danger from people who have given up, feel they have nothing to gain from respecting the law, and therefore turn to lawlessness. When all people are treated fairly, when profiling is directly linked to lawless behavior instead of general identity, then all people have a reason to obey the law, and all people are safer because of it.

Pass this bill forward, give the responsible agencies the power to increase fair play in law enforcement. The brave officers of the law, and all citizens of the State of Oregon, will be the better for it.

Thank you for the opportunity to testify before you today. I would be happy to answer any questions.