

Legislative Fiscal Office

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Joint Committee on Ways and Means

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To: Public Safety Subcommittee

From: John Terpening, Legislative Fiscal Office

Date: Thursday, June 29, 2017

Subject: HB 2355 Relating to public safety
Work Session Recommendations

House Bill 2355 requires the Criminal Justice Commission to develop and implement a standardized method to be used by law enforcement officers to record traffic stop data and outlines the type of data that must be recorded. The measure outlines a timeframe for law enforcement agencies to report their data to CJC. The Commission is required to review all the data in order to identify patterns or practices of profiling and report to the Governor, Department of Public Safety Standards and Training (DPSST), and the Legislature by December 1, 2019.

The -A16 amendment provides the Criminal Justice Commission with \$347,351 General Fund for two permanent full-time positions that will compile, analyze, and report on the traffic stop data.

DPSST is required to develop and provide training and procedures to law enforcement agencies to facilitate the collection of traffic stop data by July 1, 2018. That is also the date that the largest law enforcement agencies must begin recording data. DPSST is also directed to follow up with agencies to provide additional advice or technical assistance based on the reports received from the CJC beginning December 2019 and to establish an educational program, to be required at all levels of training, that will be most effective in reducing profiling.

The -A16 amendment provides DPSST with \$431,330 Other Funds expenditure limitation for two permanent full-time positions to develop and provide training procedures and begin preliminary work on an educational program to reduce profiling. The Legislative Fiscal Office anticipates that DPSST will need additional resources related to this work, once data is collected and reports are received from CJC that provide more information on traffic stop data issues and training needs.

To develop and implement a standardized method for law enforcement officers to record their data and for CJC to utilize the data, the Oregon State Police, in consultation with CJC,

DPSST, and the Department of Justice, will begin working on establishing a data collection system compatible with law enforcement agencies current stop data recording methods. To accomplish this, the -A16 amendment provides Oregon State Police with \$780,418 General Fund for three limited duration positions to work on developing and implementation of a data collection system. These positions are expected to continue into the first half of the 2019-21 biennium, at which point only one permanent position will be required to continue supporting the statewide data collection system.

Due to the short timelines required for large agencies to begin reporting, the General Fund amount appropriated to OSP includes \$250,000 to contract with a subject matter expertise vendor to work on components of this IT project, including a business case and an official request for proposal. Finally, the amendment includes \$750,000 Other Funds expenditure limitation to OSP to fund a statewide data collection system. This money is a transfer from the Department of Transportation of federal National Highway Traffic Safety Administration Traffic Records funds that is eligible under this federal program to fund creation of a statewide citation tracking system and software. These federal funds include a 20% state match, which can be accomplished through in-kind.

The Legislative Fiscal Office notes that the statewide data collection system is still in a preliminary phase, and actual costs of the system are indeterminate until formal requests for proposals are submitted and a contract vendor is selected. OSP may need to return to the Legislature for additional General Fund resources if the costs associated with the statewide system are greater than the amount of the available federal funds.

The measure has a -A14 amendment that modifies the definition of usable quantity. The -A14 amendment does not change the fiscal impact of the measure.

Recommended Changes

LFO recommends adoption of the -A14 amendment.

MOTION: I move adoption of the -A14 amendment to HB 2355. (VOTE)

LFO recommends adoption of the -A16 amendment.

MOTION: I move adoption of the -A16 amendment to HB 2355. (VOTE)

Final Subcommittee Action

LFO recommends that HB 2355, as amended, to be moved to the Ways and Means Full Committee.

MOTION: I move HB 2355, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____