

**HB 2401 STAFF MEASURE SUMMARY**

**Carrier:** Rep. Gorsek

**House Committee On Judiciary**

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**Action Date:** 03/14/19

**Action:** Do Pass.

**Vote:** 10-0-1-0

**Yeas:** 10 - Barker, Bynum, Gorsek, Greenlick, Lewis, McLane, Piluso, Power, Stark, Williamson

**Exc:** 1 - Sprenger

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 3/7, 3/14

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**WHAT THE MEASURE DOES:**

Modifies definition of officer-initiated pedestrian stop for purposes of profiling data collection. Removes requirement that stop result in citation, arrest, or search. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Expands and simplifies the stops reported
- Eliminates current confusion regarding reporting requirements
- More closely aligns with intent of original measure

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The 2017 Legislative Assembly enacted House Bill 2355, which intended to collect data on peace officers' discretionary detentions of pedestrians. However, ORS 131.930(3) inadvertently limited the collection of data to discretionary detentions that result in law enforcement actions other than probable cause searches in which nothing was found.

House Bill 2401 removes the limiting language and expands the scope of discretionary detentions of pedestrians that officers are required to report, aligning the statute with the intent of the original legislation.