

**SB 560 Testimony (Informational Hearing) to Senate Judiciary Committee**  
**Damon Isiah Turner**  
*on behalf of*  
**Criminal Justice Policy Institute (CJPRI) at Portland State University**  
**June 18, 2013**

Chair Prozanski, Vice-Chair Close, Senators Dingfelder, Kruse, and Roblan, my name is Damon Isiah Turner and I am a Project Consultant with the Criminal Justice Policy Research Institute – or CJPRI - at Portland State University, which is the staffing entity for the Law Enforcement Contacts Policy and Data Review Committee, a Governor appointed commission. I will focus on Section 3B of SB 560, that would require that law enforcement agencies provide trainings during orientation and at least once every two years regarding racial profiling and/or implicit bias issues. *There are four areas that the LECC & CJPRI focus on:*

One - since 2007, **the LECC and CJPRI have been monitoring public perceptions of Oregon law enforcement.** Two statewide surveys have been conducted, using stratified random sampling and two oversamples to capture the viewpoints among Hispanic, African American, and White Oregonians. Although survey results indicate that there has been some improvement in general feelings towards Oregon police officers, approximately half of the White population and the majority of the African American and Hispanic populations express concerns that racial profiling is still occurring in Oregon.

Two - the LECC and CJPRI have also **assisted law enforcement agencies with stop data collection and analysis needs.** Since 2007, the LECC and CJPRI has worked closely with four law enforcement agencies: the Portland Police Bureau, Hillsboro PD, Oregon State Police, and the Corvallis Police Department. The LECC has helped standardize the collection of traffic stop data points and benchmarking techniques in order to understand racial and ethnic disparities in Oregon.

Three - **the LECC and CJPRI also have researched police relations with communities of color, and** in partnership with the Salem Police Department, have developed a guidebook in 2013 called *Decreasing Crime by Increasing Involvement: A Law Enforcement Guidebook for Building Relations in Multi-Ethnic Communities* for various law enforcement agencies.

And four - since 2008 the LECC and CJPRI, in partnership with the Department of Public Safety Standards and Training – or DPSST - **have been providing trainings to Oregon Law Enforcement agencies on racial bias and implicit bias.** The first training, ***Perspectives on Profiling (Tactical Ethics I)***, was developed and is owned by Simon Wiesenthal's Museum of Tolerance in Los Angeles. It provides officers an introduction to the concept of implicit bias and provides a distinction between racial profiling and

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criminal profiling, and how to effectively manage racial tensions, and addresses issues of peer accountability. We found that many officers that completed this initial training wanted more training, and subsequently, a second curriculum, ***Diversity and Profiling in Contemporary Policing (Tactical Ethics II)*** – was developed by the LECC and CJPRI in conjunction with their contracted trainers consisting of Oregon Law Enforcement officers. The second training provides more in depth understanding of implicit bias, and covers the history of racial tensions in the U.S. and Oregon and how that relates specifically to police and community member interactions today and covers how to affectively manage the public's implicit racial biases.

We have a consultant team of approximately 10 officers from various Oregon Law Enforcement Agencies of various ranks, in which teams of two conduct the trainings. One of the program's strengths is partnering with those in law enforcement as trainers that are passionate and committed about increasing racial equity. Over 1,900 participants from Oregon law enforcement agencies have attended the LECC/ CJRI trainings since 2008. This is a huge number considering that there are approximately 5,500 law enforcement officers in the state. These trainings have been received very positively by Oregon law enforcement and survey results indicate that this training is having an impact on how officers think about ethical and racial issues in their job.

In addition, the CJPRI has recently completed the development of an online course that will begin in Fall 2013 at Portland State University for law enforcement agencies. This third training, ***Police & Public Trust In Diverse Communities (Tactical Ethics III)*** provides case study analysis of 4<sup>th</sup> Amendment – probable cause cases, as well as 14<sup>th</sup> Amendment – equal protection clause cases. This training also defines the policing model of a "Power" Approach in contrast to an "Authority" Approach of policing and how different models can apply to different situations when specifically interacting within communities and with individuals of color.

These trainings are an example within the context of the Section 3B portion of this bill, of how the right trainings can: (1) provide tremendous "buy in" from law enforcement if the training is developed from a broader systemic perspective and not on the basis of blaming the individual; and (2) help law enforcement to do their jobs more effectively and efficiently, by helping to make the distinction between racial profiling and criminal profiling. And lastly, as many community members that have been affected by or have experienced either racial profiling or implicit bias can attest to – a factor often overlooked in the importance of key police community relations is how relationship building can positively affect factors (such as providing Intel) and have a positive affect on an officer's ability to solve crimes.

And at the end of the day – the majority of us have the shared desire for crimes to be solved and consequently, for safer communities – or at least we all should – including civilians, law enforcement, and policy makers such as yourselves. Thank you for your time.

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## Law Enforcement Contacts Policy and Data Review Committee (LECC)

### *Staffing and Administration Provided by:*

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### LECC Statement of Purpose:

"State and local law enforcement agencies can perform their missions more effectively when all Oregonians have trust and confidence that law enforcement stops and other contacts with individuals are free from inequitable and unlawful discrimination based on race, color or national origin.... Demographic data collection can establish a factual and quantifiable foundation for measuring progress in eliminating discrimination based on race, color or national origin"

### History of the LECC:

- ☐ **1997 – 2001:** HB 2433 Required law enforcement agencies to collect data and adopt policies "prohibiting the stopping, detention and search of persons when the action is motivated by the officer's perception of the person's race, color, sex or national origin and when the action would constitute a violation of the person's civil rights" by January 31, 1998. Also required agencies to facilitate the filing of complaints about police practices. Part of the data collection effort was the public perception survey
- ☐ **2001 – 2007:** SB 415 established the Governor appointed *Law Enforcement Contacts Policy and Data Review Committee* (LECC) for a six year period to address Oregonians' concerns over racially-biased policing. The bill was to sunset in 2007.
- ☐ **2005:** General fund money given to the Oregon Criminal Justice Commission, which began contracting with PSU's Criminal Justice Policy Research Institute (CJPRI) to staff the work of the LECC in 2005.
- ☐ **2007:** LECC was codified into statute – ORS 131.905 *et seq.* No funding was provided.
- ☐ **2007- present:** Assisting agencies with stop data collection and analysis needs. Since 2007, the LECC and CJPRI has worked closely with four law enforcement agencies - Portland Police Bureau, Hillsboro PD, Oregon State Police, and Corvallis PD to help standardize the collection of traffic stop data points and benchmarking techniques in order to understand racial/ethnic disparities in Oregon.

Monitoring public perceptions of Oregon law enforcement. Since 2007, two statewide surveys have been conducted, using stratified random sampling and two oversamples to capture the viewpoints among Hispanic, African American, and White Oregonians. Although survey results indicate some improvement in general feelings towards Oregon police officers, approximately half of the White population and the majority of the African American and Hispanic populations express concerns that racial profiling is still occurring in Oregon

- ☐ **2008:** LECC/ CJPRI began Providing trainings in partnership with DPSST to Oregon law enforcement agencies; trainings focus on racial/ethnic bias issues in policing, unconscious bias, race and the Oregon experience.

*Two curriculums are utilized:*

- a) **Perspectives on Profiling (Tactical Ethics)** – developed and owned by Simon Wiesenthal’s Museum of Tolerance in Los Angeles
- b) **Diversity and Profiling in Contemporary Policing (Tactical Ethics II)** - developed by Oregon trainers and CJPRI in conjunction with their contracted trainers consisting of Oregon Law Enforcement

Over 1,400 participants from Oregon law enforcement agencies have attended the LECC/ CJRI trainings since 2008. These trainings are received very positively by Oregon law enforcement and survey results indicate that this training is having an impact on how officers think about ethical and racial issues in their job.

- ☐ **2013: Researching police and minority community relations.** In partnership with the Salem Police Department, a guidebook, ***Decreasing Crime by Increasing Involvement: A Law Enforcement Guidebook For Building Relations In Multi-Ethnic Communities*** has been developed by LECC/CJPRI. The guidebook can be accessed for free at:  
[www.pdx.edu/cjpri/sites/www.pdx.edu/cjpri/files/Decreasing\\_Crime\\_By\\_Increasing\\_Involvement.pdf](http://www.pdx.edu/cjpri/sites/www.pdx.edu/cjpri/files/Decreasing_Crime_By_Increasing_Involvement.pdf)

*Future Curriculum:*

**Police & Public Trust In Diverse Communities (Tactical Ethics III)** – online course that will begin Fall 2013 at Portland State University for law enforcement agencies; provides case study analysis of 4<sup>th</sup> and 14<sup>th</sup> Amendment cases and defines a model of “Power” Approach and “Authority” Approach of policing

#### **Funding of the LECC:**

- ☐ **2001 – 2007:** Oregon Criminal Justice Commission funded the LECC
- ☐ **2007 – 2012:** CJPRI was able to staff the LECC with a National Highway Traffic Safety Administration grant: “Incentive Grant Program to Prohibit Racial Profiling” (Federal Register, Vol. 71, No. 22, pp. 5727-5729).
- ☐ **2013:** Received small Oregon Criminal Justice Commission grant to continue training, but work will discontinue without support. (Presently HB 2661 is in 2013 legislature regarding this request).

#### **Future Goals of LECC:**

- ☐ Continue the above LECC activities given that the inertia that has been developed is critical for ensuring racial/ethnic equality, reducing tensions between the police and community, and creating collaborative partnerships for addressing community crime problems.
- ☐ Continue offering the statewide training program to Oregon law enforcement agencies and the DPSST Basic Academy including a new online curriculum that is being developed to reach more rural agencies.
- ☐ Create more outreach to the Oregon tribal police
- ☐ Prepare for the next public perceptions survey
- ☐ Reach out to more agencies with assistance with stop data collection and analysis
- ☐ Help facilitate more police-community partnerships