

MEMORANDUM

Legislative Fiscal Office
900 Court St. NE, Room H-178
Salem, Oregon 97301
Phone 503-986-1828
FAX 503-373-7807



To: Public Safety Subcommittee

From: Linda Gilbert, Legislative Fiscal Office
(503) 986-1845

Date: June 18, 2015

Subject: HB 2002 – Law Enforcement Profiling Policies
Work Session Recommendations - Reconsideration

HB 2002-A defines profiling and requires law enforcement agencies to have written policies prohibiting profiling. It establishes the Law Enforcement Contacts and Policy Data Review Committee as a repository for profiling complaints. It further establishes an interim work group, staffed by Legislative Administration Committee Services office, and declares an emergency, effective upon passage.

The measure previously had hearings in the House Judiciary Committee on March 30 and April 20, 2015, passing out on a 7-2 vote. The measure, the original staff measure summary, and the fiscal impact statement are available on the Oregon Legislative Information System (OLIS).

The fiscal impact of the bill is \$250,431 General Fund. This funding passes through the Higher Education Coordinating Commission to the Criminal Justice Policy Research Institute at Portland State University, which will continue the efforts of the Law Enforcement Contacts and Policy Data Review Committee.

The –A4 amendment clarifies the date by which law enforcement agencies are to have written profiling policies and provides appropriation language. The Public Safety Subcommittee moved the –A4 amendment on June 9, 2015.

Today, the –A6 amendment is before you. It changes staffing support for the interim work group from Legislative Administration Committee Services to the Department of Justice and includes the content of the –A4.

Move the –A6 amendment to House Bill 2002.

HB 2002 Final Subcommittee Action:

The measure, as amended, is recommended to be moved to the Joint Committee on Ways and Means

Final Motion:

Move HB 2002, as amended, to the Joint Committee on Ways and Means, with a Do Pass recommendation.

Carriers:

Full: Rep Williamson

House: Rep Williamson/Rep Frederick

Senate: Sen Shields

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2002**

1 On page 2 of the printed A-engrossed bill, line 17, delete “October 1,
2 2015” and insert “January 1, 2016”.

3 On page 3, line 31, delete “staff of the Committee Services Office of Leg-
4 islative Administration” and insert “Department of Justice”.

5 Delete lines 33 through 45 and insert:

6 **“SECTION 6.** Section 2 of this 2015 Act is amended to read:

7 **“Sec. 2.** (1) [*No later than January 1, 2016,*] All law enforcement agencies
8 shall [*adopt*] **have** written policies and procedures prohibiting profiling. The
9 policies and procedures shall, at a minimum, include:

10 “(a) A prohibition on profiling;

11 “(b) Procedures allowing a complaint alleging profiling to be made to the
12 agency:

13 “(A) In person;

14 “(B) In a writing signed by the complainant and delivered by hand, postal
15 mail, facsimile or electronic mail; or

16 “(C) By telephone, anonymously or through a third party;

17 “(c) The provision of appropriate forms to use for submitting complaints
18 alleging profiling;

19 “(d) Procedures for submitting a copy of each profiling complaint to the
20 Law Enforcement Contacts Policy and Data Review Committee and for re-
21 ceiving profiling complaints forwarded from the committee; and

22 “(e) Procedures for investigating all complaints alleging profiling.

1 “(2) A law enforcement agency shall:

2 “(a) Investigate all complaints alleging profiling that are received by the
3 agency or forwarded from the committee.

4 “(b) Establish a time frame within which a complaint alleging profiling
5 may be made to the agency. The time frame may not be fewer than 90 days
6 or more than 180 days after the alleged commission of profiling.”.

7 On page 4, delete lines 1 through 8.

8 In line 11, delete “October 1, 2015” and insert “January 1, 2016”.

9 After line 11, insert:

10 **“SECTION 9. In addition to and not in lieu of any other appropri-**
11 **ation, there is appropriated to the Higher Education Coordinating**
12 **Commission, for the biennium beginning July 1, 2015, out of the Gen-**
13 **eral Fund, the amount of \$250,431, for distribution to the Criminal**
14 **Justice Policy Research Institute at Portland State University for the**
15 **purpose of supporting the Law Enforcement Contacts Policy and Data**
16 **Review Committee.”.**

17 In line 12, delete “9” and insert “10”.

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