



# KEIZER POLICE DEPARTMENT

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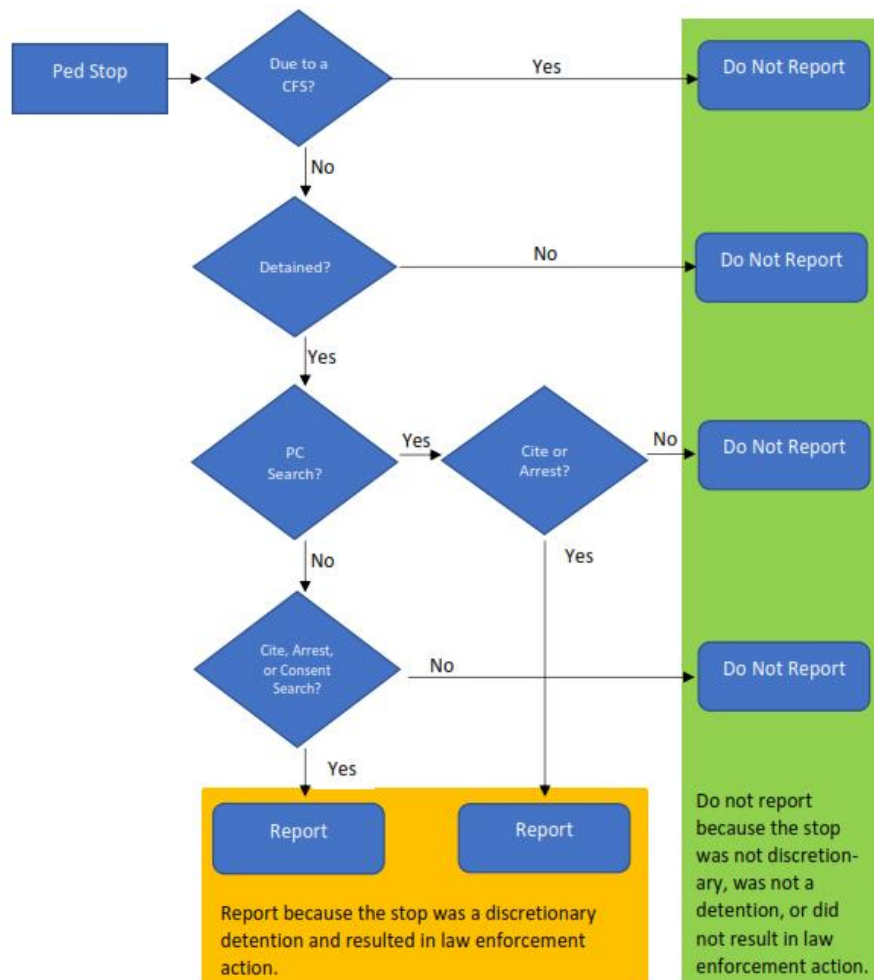
Oregon State Legislature  
House Committee on Judiciary

March 4, 2019

Dear Chair Williamson and Members of the Committee:

RE: Letter of Support for HB 2401

Among other things, HB 2355 (2017), the “law enforcement profiling bill,” intended to collect data on peace officers’ discretionary detentions of pedestrians, but ORS 131.930(3) inadvertently limited the collection of data to discretionary detentions that result in law enforcement actions other than PC searches in which nothing was found. See the figure below.



The statutory language also yielded some ambiguity in reporting searches. That is, if there is a discretionary detention that results in a “Terry frisk” that is not a consent search, it’s arguably not reportable.

If this sounds confusing and too nuanced or complicated, it’s because it is.

The solution, however, is simple: strike some of the current language, removing the ambiguity and meeting the intent of the legislation.

By striking “when the detention results in a citation, an arrest or a consensual search of the pedestrian’s body or property” from ORS 131.930(3), the flowchart and decision-making is simplified. See the second figure, below.



(In both figures, CFS is *calls for service*. Detentions of pedestrians that result from calls for law-enforcement service are excluded by statute because such stops are not discretionary.)

All members of the profiling task force who developed the current pedestrian-detention language support HB 2401, thus with the understanding and expectation that the legislature will pass HB 2401, agencies are currently collecting and reporting data

using the proposed language.

For these reasons, I encourage you to pass HB 2401.

Thank you,

John Teague  
Chief of Police