



## Comments on HB 2401 (Profiling data)

To: House Committee on Judiciary  
From: Michael Selvaggio, for Oregon Coalition of Police and Sheriffs  
Date: March 7, 2019

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Chair Williamson, members of the committee:

The Oregon Coalition of Police and Sheriffs (ORCOPS) represents line officers and sheriffs' deputies throughout the State of Oregon. We are the state's largest law enforcement organization, and are comprised of over forty local law enforcement organizations.

We would like to express several comments on HB 2401, and urge the Committee's thoughtfulness as it considers this important piece of legislation.

In 2015, ORCOPS was proud to be able to work with a wide array of stakeholders in supporting HB 2002, which created the Law Enforcement Profiling Workgroup and established statewide standards prohibiting profiling by police officers. ORCOPS was subsequently involved in the workgroup process and ultimately supported the Workgroup's consensus recommendation of HB 2355, which put a finer point on data collection, training, and reporting. In that support, ORCOPS stood with the ACLU of Oregon, Unite Oregon, and the NAACP Portland Branch.

Sometimes, workgrouped results bear a need for further adjustment and editing. However, HB 2401 represents a clear departure from the type of collaborative process that has so far been successful in advancing anti-profiling measures over the last several sessions. ORCOPS was not reached out to in advance of the introduction of HB 2401. In addition, the scheduling of a subsequent work session before the public hearing has taken place on this important legislation seems suggestive of a foregone conclusion.

Further, in the absence of a collaborative process, ORCOPS is unaware whether some significant accompanying questions to HB 2401 have been addressed, let alone answered:

1. Creating additional processes for officers in the field, however necessary, will result in less capacity for individual officers in already-strained jurisdictions. Has the committee

determined whether resulting gaps in coverage will be accepted or does the Legislature intend to supplement local public safety resources in some manner?

2. While our officers prefer all interactions to be amicable, issuing an order to “stay right there” is a function in an officer’s toolbox that can be used to maintain control while de-escalating a potential conflict. Is it the bill’s intention to comingle the data on these actions with interactions such as arrests?
3. Data collection per HB 2355 began in July 2018, with a report to the Legislature due on December of 2019. HB 2401 would take effect upon passage, presumably prior to delivery of the December report. Has the Committee consulted with data analysts to determine the appropriateness of adjusting the data collection criteria in the middle of a data collection period?

ORCOPS appreciates the opportunity to submit these comments to the Committee. However, without having had a collaborative discussion in advance of the legislation being introduced, we do not feel able to render a position on the legislation at this time.

We leave it to the Committee members’ discretion as to whether these questions have been answered to their satisfaction.

Thank you.

*PS: Any members of the Committee interested in learning more about law enforcement work in the field may connect with ORCOPS in order to schedule a ride-along.*