

HB 2401 STAFF MEASURE SUMMARY

Carrier: Sen. Manning Jr

Senate Committee On Judiciary

Action Date: 05/22/19

Action: Do pass.

Vote: 7-0-0-0

Yeas: 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 5/13, 5/22

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 reporting of officer-initiated pedestrian stops
- Confusion regarding current reporting requirements
- Alignment with original intent of reporting requirements

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.