

Law Enforcement Contacts Policy and Data Review Committee

2008 Annual Report



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Contents

<u>Executive Summary</u>	2
<u>Statement of Purpose</u>	16
<u>The Committee</u>	16
<u>LECC Activities in 2008</u>	21
Technical Assistance Outreach	21
LECC Findings Regarding Disparity.....	23
“Perspectives on Profiling” Regional Training	27
Minority Commissions	35
Governor’s Summit.....	36
Oregon Drivers’ License.....	38
<u>Conclusions, Recommendations and Future Tasks</u>	40
<u>Appendix A: ORS 131.905 et seq</u>	42
<u>Appendix B: Technical Assistance Letter:</u>	45

2008 Annual Report of the Law Enforcement Contacts Policy and Data Review Committee

Executive Summary:

The Law Enforcement Contacts Policy and Data Review Committee (LECC) was created by Senate Bill 415 in 2001 and charged with the responsibility to obtain data on law enforcement stops, provide technical assistance in collecting and analyzing that data, and identify and disseminate information on programs, procedures and policies from communities that have forged positive working relationships between law enforcement and communities of color. HB 2102, signed into law in 2007, made the LECC permanent and transferred staffing duties from the Oregon Criminal Justice Commission to the Criminal Justice Policy Research Institute at Portland State University. House Bill 2102, codified as ORS 131.905 et seq., can be found in Appendix A of this report.

The LECC, in partnership with the Criminal Justice Policy Research Institute and the Traffic Safety Division of the Oregon Department of Transportation, has received two grants from the National Highway Traffic Safety Administration (NHTSA-2006-23772). These grants will fund the activities of the LECC until 2011. The grant program is called the "Incentive Grant Program to Prohibit Racial Profiling" under section 1906 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Federal Register, Vol. 71, No. 22, pp. 5727-5729).

The original charge of LECC was based on the legislative finding that 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, and that data collection can establish a factual foundation for measuring progress in eliminating discrimination.

The LECC recognizes that racially biased policing, whether actual or perceived, impacts relationships between communities of color and law enforcement agencies. Policing in democratic nations is based on principles of procedural justice. In other words, police are expected to be *neutral* in their decision-making, treat the citizenry with *respect*, and seek *fair* outcomes. A review of research on law enforcement-citizen relations indicates that *trust* in and *satisfaction* with police have important ramifications for crime prevention, case investigation, legitimacy of government institutions, and crime itself.

Racially-biased policing clearly violates such principles of justice, and lowers citizen trust and satisfaction with police. However, racially-biased policing and police-citizen relationships are complex and there are no simple solutions. Therefore, in order to foster more positive relationships between law enforcement and the communities they

serve, the LECC has taken a multi-pronged approach, led by two regularly convening subcommittees: Data Review and Community Relations. These two subcommittees have carried out a variety of tasks to address issues that correspond to the intent and goals of ORS 131.905 et seq.

The LECC has structured its work around four key areas:

- 1) Status of Stop Data Collection, Analysis, and Utilization in Oregon;
- 2) Public Perception of Racially Biased Policing in Oregon;
- 3) Identification of “Best Practices” for Community Outreach and Law Enforcement Training; and
- 4) Recommendations for Addressing Racially Biased Policing and Law Enforcement-Citizen Relations in the State of Oregon.

In 2008, the LECC focused on a number of tasks that correspond to all four of its core areas. The specific tasks completed by the LECC to address these areas in 2008 are the following:

- 1) Conducted technical assistance outreach to law enforcement agencies throughout the state of Oregon related to the voluntary collection and analysis of traffic stop data;
- 2) Continued our coordinated activities with the Department of Public Safety Standards and Training to improve training of law enforcement officers and supervisors including the implementation of the “Perspectives on Profiling” regional training throughout the state of Oregon;
- 3) Collaborated with the Oregon Minority Advocacy Commissions on areas of common interest;
- 4) Began to review stop data from one agency in Oregon to examine the efficacy of factors other than race and ethnicity that may be related to search decisions by law enforcement officers and the outcomes of those searches; and
- 5) Began further analysis of a 2007 survey of Oregon drivers to examine factors related to driver’s perceptions of fairness in law enforcement.

The remainder of this Executive Summary reviews each area addressed in 2008, briefly summarizes the tasks undertaken, and lists significant findings and conclusions. This summary includes a broad perspective, including information from other years and other organizations. The Executive Summary ends with the LECC’s recommendations for addressing racially biased policing in Oregon based on the LECC’s cumulative efforts. More detailed descriptions of the LECC committee, tasks completed in 2008, and data findings follow the Executive Summary.

1. Status of Stop Data Collection, Analysis, and Utilization in Oregon

How to increase law enforcement interest in stop data collection?

Traffic stop data from the Portland Police Bureau and the Oregon State Police were recently obtained but there has not yet been sufficient time to complete a thorough analysis, including agency review and feedback, prior to completion of this annual report. The LECC would like to thank the Portland Police Bureau and the Oregon State Police for their willingness to collect stop data and allow the LECC to analyze their data.

A renewed effort to promote the technical services that LECC can offer law enforcement agencies was undertaken in 2008. In April of 2008, LECC representatives David Fidanque, Brian Renauer, Mike Stafford, and Greg Willeford met with Kevin Campbell of the Oregon Association of Chiefs of Police (OACP) and Raul Ramirez of the Oregon State Sheriff's Association (OSSA) to discuss strategies for encouraging more law enforcement involvement in traffic stop data collection. This discussion produced a letter for distribution to all law enforcement Chiefs of Police and Sheriffs describing how stop data is collected, how the LECC can help agencies, why agencies should collect traffic stop data, and other ways the LECC could help agencies (see Appendix B). The letter was circulated to all Chiefs and Sheriffs in May 2008 and a presentation was made to the Oregon Sheriffs Association meeting in June 2008. This outreach effort led to contacts with two agencies (Lebanon PD, Pilot Rock PD) that are not currently collecting traffic stop data and one agency (Monmouth PD) that has collected stop data with a written form.

According to the LECC survey of law enforcement agencies in 2006, roughly 34% (based on 82 responses, 48% response rate) of Oregon law enforcement agencies have collected traffic stop data at some time (LECC, 2006). Given that half of the state's law enforcement agencies did not respond to our survey, the actual percentage of agencies that collect stop data is probably closer to 15%. Our efforts this year to encourage agencies to collect traffic stop data produced three new potential agencies. Why are only a small number of agencies collecting stop data and what can be done to increase agency involvement? Four obstacles to data collection are discussed below. These obstacles are based on experience and conversations with law enforcement agencies in 2008 and some were identified in our 2006 survey of law enforcement agencies.

- *Obstacle # 1: Data collection is voluntary and agencies perceive few benefits.* Both the Legislature and all members of the LECC believe that the voluntary collection of traffic stop data is a critical step in building trust with constituents that distrust law enforcement. (See discussion of public perception surveys below.) Despite efforts by the LECC to outline the benefits of collecting stop data in emailed letters and in our annual report, many agencies are still likely to conclude that the costs associated with collection, particularly possible community tension, potential law suits, and officer resentment are not worth the risks. The perception among some agencies is that racial profiling or bias is not

a local problem and doesn't merit the expenditure of scarce resources. However, public perception surveys carried out under the direction of the LECC have consistently indicated that a significant percentage of all Oregonians distrust law enforcement. While distrust is notable among African Americans and Hispanics, it is also common among Non-Hispanic Whites, as well as other demographic groups.

Proposed solution/action: Include a discussion of public perception data in all outreach to law enforcement agencies. Prepare and provide criteria that can provide guidance to agencies and communities so they can objectively evaluate the accomplishments of their data collection efforts and community partnerships. Explore potential legal risks involved in data collection, and the absence of data collection, and share such information with agencies. Continue to utilize well-respected law enforcement advocates of data collection, (particularly those who have first-hand experience in implementing such systems), to address some obstacles and assuage the fears of agencies not collecting data. Provide increased state recognition and appreciation for the agencies participating in data collection.

- *Obstacle # 2: Continued trepidation that data collection will be state mandated (or federally mandated).* Organizations, both public and private, generally do not welcome regulation. For some law enforcement agencies there is a perception that the issue of racial profiling and the push to collect data on traffic stops comes from outside sources that are not familiar with local issues and police practices. Although this debate is about a decade old, this general sentiment still prevails.

Proposed solution/action: Agencies need to be reminded that voluntary collection of data is an important first step in building relationships of trust with the public at large and especially with communities of color in their jurisdiction. LECC should continue to craft statements and outreach efforts in cooperation with community representatives that outline the intent, purpose, and benefits of voluntary data collection.

- *Obstacle # 3: Known inadequacies in stop data and analysis cause agencies to question the utility of collecting data.* LECC reports, which also reinforce national research, recognize a number of flaws in regards to traffic stop data collection and analysis techniques (LECC 2005, 2006, 2007). Law enforcement agencies have taken these issues and posed the following questions back to LECC:

“If we can't be certain what the data is telling us, then why collect the data?”

“If the data can't prove or disprove racial profiling practices or whether racial bias exists then why go through the effort to collect it?”

These questions illustrate the need to better articulate the expectations, goals, and purposes of data collection and clearly communicate those to law enforcement agencies.

While traffic stop data cannot conclusively determine what is causing the disproportionate treatment of persons related to race and ethnicity, it can help agencies explore factors that may lead to disparity, which could stem from unconscious bias related to common practices and policy. However, the breadth and quality of the data being collected will influence the extent to which an agency can examine in more depth any disparities found in the data. Data analysis may also illuminate criteria other than race and ethnicity that may increase the risk of being stopped and searched and create disproportionate impacts. For example, data may show that a racial/ethnic minority group is more likely to be stopped at night, which increases the likelihood of being searched. Is this disparity because there is greater nighttime patrol in minority neighborhoods where crime is often higher? Are officer's levels of suspiciousness heightened when they stop minority drivers at night and heightened even more when there are multiple passengers in the vehicle? These are the types of reflective questions that agencies who collect and analyze stop data are encouraged to undertake. Exploring these questions should be done in collaboration with officers and concerned citizens. Oregon law enforcement agencies that have been collecting traffic stop data for a number of years also utilize the data to identify other improvements (unrelated to race and ethnicity) that are needed in training and policies in order to improve law enforcement outcomes.

Proposed solution/action: LECC should continue to craft statements and outreach efforts that outline the purposes, expectations, and benefits of data collection. LECC will also be focusing its analysis efforts in the direction of isolating practices, such as enhanced law-enforcement emphasis on searches of vehicles with multiple occupants, which appear to be race-neutral but actually affect some racial/ethnic groups disparately. After findings of this type have been obtained and replicated in a few Oregon jurisdictions, it may no longer be necessary for LECC to continue to encourage the collection of these particular data elements by additional agencies.

- *Obstacle # 4: Lack of resources.* Collecting traffic stop data requires resources, particularly agency planning time and leadership. The LECC can provide technical help and can perform all the analysis and reporting requirements for agencies willing to collect stop data. The LECC has also automated most of the analysis and reporting aspects of data collection. In addition, the LECC is in the process of working with dispatch and communications centers to explore their options for offering centralized data collection for their partner agencies in a cost-effective and useful manner. These efforts lower both the time and monetary investment any agency must make. However, getting a collection system in place requires a significant amount of planning, training, and leadership on the

part of agency administration, which is something the LECC cannot provide. Agency personnel have to be convinced it is in their best interest to accurately collect this information, officers need to be taught how to properly use the system, and administrators must be trained how best to explain the LECC's findings to local government officials and the community. However, some of the additional resources spent to implement data collection may be recouped by more effective police practices as a result of the data analysis.

Proposed solution/action: Continue to advertise the assistance that LECC can provide. Continue to utilize well-respected law enforcement advocates of data collection, (particularly those who have first-hand experience in implementing such systems), to address some obstacles and assuage fears of agencies not collecting data. The LECC has also developed a new concept of a mechanism for assisting local agencies and will be exploring the practicality and cost of this approach during 2009, in conjunction with the Willamette Valley Communications Center. By funding software and data transmissions systems for collecting traffic stop data at a central location, LECC hopes that local agencies that already have their dispatch services at that central location will be able to opt-in to collection of traffic stop data with a minimal commitment of time and resources.

It is clear that the collection of traffic stop data is the most controversial and unattractive component of LECC efforts to law enforcement administrators and officers. In order to increase the use and acceptance of traffic stop data collection it may be helpful for the state legislature and government officials, and local government representatives, to become educated on these obstacles and also assist LECC in thinking about potential solutions. The LECC should continue to emphasize that the major purposes of collecting data is to assist law enforcement in the performance of their duties and to build greater trust with the public.

LECC Findings Regarding Disparity in Stops, Searches, and Search Outcomes

The LECC has received and analyzed traffic data from five Oregon police agencies: Hillsboro PD, Oregon State Police (OSP), Corvallis PD, Beaverton PD, and Eugene PD. Early analysis of data from these agencies was combined into one large data set because the number of stops, and particularly searches, were too low. Recent examinations of stop data from Hillsboro PD, OSP, and Corvallis PD in 2006 and 2007 take advantage of the entire five years for which each of these agencies have been collecting data (which is up to 7 years now). The longer data collection time frame allows for a more robust analysis and statistical confidence.

The key areas of disparity that have been explored in the 2006 and 2007 LECC reports are the following:

- Whether there is disparity in the percentage of stops for racial/ethnic groups compared to their percentage of the driving population in the jurisdiction

- Whether there is disparity in the percentage of stops that result in a non-inventory search across race/ethnicity
- Whether there is disparity in the percentage of searches that result in any criminal evidence being found across races/ethnicity

The results of our analyses for these three jurisdictions reveal the following disparities:

- 1) Across all three jurisdictions African American motorists are more likely to be stopped compared to their percentage of the population aged 16 and older. In two out of three jurisdictions Hispanic drivers are more likely to be stopped compared to their percentage of the driving-aged population.
 - a. Despite evidence of disparity, the percentage differences are generally small. Moreover, the use of census population data as an indicator of a racial/ethnic group's likelihood of being stopped is strongly disputed in the literature, thus the LECC is not confident in these disparity findings. Our annual reports in 2005, 2006, and 2007 detail the limitations with this type of disparity analysis.
- 2) Across all three jurisdictions African American and Hispanic motorists are more likely to be searched compared to White motorists. In most cases, these differences in search experiences of African American and Hispanic drivers, compared to White drivers, are statistically significant.
 - a. The implication of this search disparity is difficult to determine because our analysis lumps all search categories together. Some searches are automatically performed incident to arresting a suspect for officer safety and based on department policy and practice. Such "non-discretionary" searches appear less likely to involve any form of conscious or unconscious bias on the part of the arresting officer. In contrast, consent searches, weapons pat-down searches, and plain view searches appear more discretionary and susceptible to conscious and unconscious racial/ethnic biases. Future search analyses need to distinguish between discretionary and non-discretionary searches.
 - b. Interpreting the meaning of search disparity is also difficult because of the limited amount of data on traffic stop characteristics collected by these agencies. Search decisions are based on a variety of behavioral and contextual cues that raise an officer's suspicion and sense of probable cause that are not being captured in stop data systems.
 - c. Although we find statistically significant search differences across race/ethnicity, the size of the disparity may not be "socially significant". For example, in Corvallis only four more African American and thirteen more Hispanic drivers were searched per year than expected if there were no differences with White drivers. In other words, are four additional searches of African American motorists per year enough to elevate a concern that bias exists or change community perceptions?

- 3) Across all three jurisdictions White motorists are more likely to be searched and found with criminal evidence compared to African American and Hispanic motorists. Most of these differences in search outcomes between White and Minority drivers are statistically significant.
 - a. This finding, which does raise the possibility that officers are biased towards racial and ethnic drivers in their search decisions, can also be misleading. More specifically, the data cannot parse out different types of searches and is limited in contextual information about the stop.

Our analysis of police stop data from these three jurisdictions reveals evidence of disparity; however there is a qualification or limitation to each case of disparity. Most of these qualifications are due to the limited data that is collected about each traffic stop which typically encompasses only five data points. These research qualifications are important for the reader to recognize and are discussed in the next section.

The Corvallis police department data collection system is the exception to the limited amounts of data collected during traffic stops. The Corvallis stop data system allows officers to record the reasons behind a search (e.g. incident to arrest, consent, weapon-pat down), the time of day, number of passengers, police geographic patrol area, and many other data points. The LECC is working on an analysis of search decisions and search outcomes that explores how other factors collected by the Corvallis PD can advance our knowledge about search decision making. If the findings from the forthcoming Corvallis analysis can be replicated elsewhere we may be able to identify key policy and training considerations.

Understanding the limits of official traffic stop data collection

LECC has worked since its inception to utilize official law enforcement statistics on traffic stops, “to ensure that law enforcement agencies perform their missions without inequitable or unlawful discrimination based on race, color or national origin (ORS 131.906).” We have found disparities in the likelihood that different racial and ethnic groups are stopped, searched, and whether criminal evidence was discovered, but the reasons for these disparities are obscured. Two studies currently underway are the first in Oregon to introduce a theoretical framework, utilize multivariate statistical techniques, and distinguish between non-discretionary and discretionary searches. In other words, the LECC expects these efforts to advance our work and are consistent with approaches recommended by national experts. We expect that some disparities which appear in two-variable analyses across race/ethnicity will be mitigated or explained by multivariate analyses, at least for this single police department.

However, stakeholders need to realize that even with the most technically advanced analyses we will not know for certain what causes the disparities we have found elsewhere nor will we be able to state with any certitude whether Oregon police officers are biased or not biased. This issue is recognized nationally. A few quotes from the

preeminent national experts on racial profiling, Robin Engel and Laurie Fridell, summarize this dilemma¹.

“because the data will never ‘prove’ or ‘disprove’ racially biased policing, we contend that vehicle stop data collection and analysis should never be viewed – either by police or resident stakeholders – as a ‘pass-fail’ test (Fridell, 2004).”

Vehicle stop data collection, “should be viewed as a diagnostic tool to help pinpoint the decisions, geographic areas, and procedures that should get priority attention when the agency, in concert with concerned residents, identifies its next steps for addressing the problem or perception of racial profiling (Fridell, 2004).”

“the source of racial/ethnic bias cannot be directly measured with the official data available. Rather only racial/ethnic disparities (or differences in outcomes across racial/ethnic groups) can be determined (Engel, 2008)”

“The findings generated from racial profiling research must be couched with appropriate qualifiers, and the conclusions stated by researchers must better reflect the limitations of their research. It is irresponsible to do otherwise (Engel, 2008).”

These quotes represent critical issues for the LECC and its stakeholders to understand and consider. If there is agreement about these statements, then the primary purpose of stop data collection is not to make “pass-fail” judgments, but to understand where disparities are occurring and use that information to examine law enforcement practices and common assumptions that may result in disproportionate impacts by race or ethnicity that may be counter-productive.

Changes in Oregon law that may impact LECC data collection efforts

In the 2008 special legislative session, the Governor proposed, and the Legislature approved, SB 1080 which requires all applicants for new, replacement or renewal driver license or identification cards to provide proof of citizenship or “lawful presence” in the U.S. Soon thereafter, several members of the Committee expressed concern that passage of the new law would lead to increased targeting of Hispanic and immigrant drivers for enforcement actions by law enforcement, an increase in the number of citations and arrests related to the offenses of driving uninsured and driving without a license, and potential negative public safety implications if the federal Real-ID Act was eventually implemented fully in Oregon. Representatives of the Oregon Commission on Black Affairs (with respect to the Ethiopian community) and of the Oregon Commission

¹ Engel, R. S. (2008). A critique of the “outcome test” in racial profiling research. *Justice Quarterly*, 25 (1), 1-36.
Fridell, L. A. (2004). *By the numbers: A guide for analyzing race data from vehicle stops*. Washington, DC: Police Executive Research Forum.

on Hispanic Affairs (with respect to the Latino community) also voiced similar concerns with the new law during a joint meeting on September 11, 2008.

In 2008, the Legislature also approved HB 3625 which requires the Oregon Department of Transportation to monitor changes in the rate of uninsured drivers, unlicensed drivers, and the number of accidents in which they are involved as a result of SB 1080. In light of the LECC's familiarity with data collection and analysis related to law enforcement issues, the Committee met with DMV and ODOT representatives on November 5, 2008 to discuss the implementation of HB 3625 and to explore ways in which the LECC could provide assistance. It was agreed by all involved that the LECC, DMV and ODOT would seek ways to cooperate on the collection of the data required by HB 3625.

The LECC will continue to monitor the impact of SB 1080 on communities of color, and particularly on immigrants within those communities. In doing so, the LECC will continue to consider the counterproductive effects of a driver's license scheme that is expected to have the consequence of diminishing public safety because of an increase in the number of drivers who are unlicensed and uninsured.

2. Public Perception of Racially Biased Policing in Oregon

Prior to 2007, LECC conducted four annual statewide opinion surveys that assessed the public's views of law enforcement contacts and the prevalence of racially-biased policing. In 2005 the survey was supplemented with additional surveys of African-American and Hispanic residents of Oregon. A sixth survey is being planned for 2009.

These surveys of Oregon residents showed that, overall, about 19% of Oregon drivers experience a traffic stop during a year, which is much higher than the national average (8.8% per year).² However, consistent with national patterns, African American and Hispanic drivers report being stopped more often than White drivers and are significantly more likely to believe that racially biased policing is common practice. For example, in the Oregon surveys prior to 2007 41% of African American respondents reported being stopped by police during the 12 months preceding their interview, compared to 24% of other respondents from their geographical area, and 19% of other respondents on a statewide basis (LECC, 2005, pp. 23). The frequency of minority group members being stopped by the police declined in the 2007 survey. Hispanic drivers in 2007 reported the highest frequency of being stopped in the past year (31%), followed by African Americans (29%), and then the Minority category (i.e. combines Hispanic, African American, Native American, and Asian) in the random statewide survey (25%). The frequency of African American and Hispanic drivers stopped in 2007 was less than reported in 2005, particularly African American drivers (13% less frequently). The reduction in the frequency of reported stops by African American drivers in 2007 is statistically significant. Regardless of these reductions, the frequency

² "Contacts between Police and the Public: 2005" Bureau of Justice Statistics, U.S. Department of Justice, 2007 (<http://www.ojp.usdoj.gov/bjs/abstract/cpp05.htm>)
Law Enforcement Contacts Policy Data and Review Committee
2008 Annual Report
November 29, 2008

with which minority drivers report being stopped in Oregon is still much higher than national estimates and significantly greater than for White drivers.

The surveys also indicate a sharp divide between African American drivers and other drivers regarding whether they think the differences in stop rates reflect racial profiling. For example, 73% of African American drivers who had been stopped reported that they thought the reasons given by the law enforcement officer for the stop were untrue, compared to only 18% of other drivers from the same area who had been stopped. Similarly, 41% of Hispanic drivers who had been stopped statewide felt the reason given for the stop was not the real reason (LECC, 2005, pp. 26). Attitudes of minority group members regarding the use of racial profiling by Oregon police officers improved in 2007. There was a small reduction in the intensity of Minority (i.e. combines Hispanic, African American, Native American, and Asian), African American, and Hispanic beliefs about the frequency of racial profiling from previous survey years. These changes in opinion were statistically significant for both African American and Hispanic drivers. This finding is particularly true among the Hispanic drivers surveyed. In 2005, 28% of Hispanic drivers felt police rarely or never use racial profiling compared to 42% who felt they rarely or never use it in 2007. Minority drivers in 2007 were more likely than past surveys to feel law enforcement officers have become fairer in the past year and view Oregon police more positively and less negatively.

Despite these positive improvements regarding stop experiences and perceptions of fairness in Oregon law enforcement, *there are still significant differences between the experiences and attitudes of Minority drivers interviewed in the survey and comparison White drivers.* Although we see some improvement, these experiential and attitudinal differences across races and ethnicities should not be understated. These attitudinal differences also underscore the importance of law enforcement to engage the public on this issue through traffic stop data collection or other partnerships.

The LECC survey results could lead to a pessimistic conclusion that one's race/ethnicity is the only factor that explains a perception that police are biased and these perceptions are therefore unchangeable. An important question to explore is whether a person's direct contacts with the police have the capacity to influence one's perceptions going forward. Being stopped by the police and perceiving the officer as unprofessional during the contact may explain why some racial/ethnic group's sense police are biased. On the other hand, being stopped by the police and perceiving the stop experience as professional or positive could change one's attitude about the prevalence of police bias. By exploring other factors that relate to the development of attitudes towards the police, the LECC hopes to identify and suggest tangible policy approaches to improve public perceptions of police. Addressing such research questions is not an attempt to lessen the significance of the racial/ethnic divisions we find in public attitudes towards the police or the deeply held concerns of communities of color, but may provide possible solutions. In 2009, the LECC will examine the 2007 survey data to identify other factors that inform public attitudes regarding police bias.

3. Identification of “Best Practices” for Community Outreach and Law Enforcement Training

The LECC purchased the **Perspectives on Profiling™ curriculum** designed by the Tools for Tolerance® for Law Enforcement at the Simon Wiesenthal Center’s Museum of Tolerance. Perspectives on Profiling is an interactive virtual learning experience that compels users to make critical choices in testing situations. The program is designed for police managers, mid-level supervisors, training officers, and line officers. The interactive video is a cutting edge training tool that is sensitive to the challenges that face law enforcement both in reality and in the management of public perception.

In 2008, the LECC initiated the first series of an ongoing regional training effort and conducted in-service training for the Benton County Sheriff’s Department. The LECC trained 113 officers from 14 different Oregon agencies in 2008, using the Perspectives on Profiling curriculum.

Six regional trainings were held from April through June 2008 in Coos Bay, Eugene, Pendleton, Madras, Klamath Falls, and Grants Pass. A total of 57 officers from 11 different law enforcement agencies received the Perspectives on Profiling training. An additional 56 officers from 3 different agencies were trained at Oregon State University this October during Benton County Sheriff’s inservice training. Officer Ryan Lewton of the Portland Police Bureau, Sgt. Clay Stephens of the Benton County Sheriff’s Office and Sgt. Jana McCandless of the Tillamook County Sheriff’s Office delivered the trainings. These trainings were also staffed by Brian Renauer and Emily Covelli of Portland State University, Mike Stafford of Oregon Criminal Justice Commission, Lieutenant Henry Reimann of the Hillsboro Police Department and Captain Suzanne Isham of Department of Public Safety Standards and Training.

Participant evaluations rated the trainers very highly. Almost three-quarters of the respondents indicated that they did *not* agree that the training seemed “watered down.” The vast majority (85.3%) of respondents agreed that they would recommend this training to other law enforcement officers, with almost one-fourth of respondents indicating that they strongly agreed.

Our experiences in implementing this training effort clearly indicate a statewide interest in law enforcement training regarding issues of race/ethnic bias, profiling, and ethnics in law enforcement. Our training is the most popular and well-received aspect of the LECC effort. As knowledge and exposure to the training increase, the size of the classes and demand for the training will increase too.

We have ten regional trainings tentatively scheduled for 2009 that are intended to reach out to the following areas: Brookings, Coos County, Seaside, Klamath Falls, Sutherlin, White City, Burns, Bend, Prineville, Ontario, Hood River, Umatilla County, Eugene, and the Salem metro area. We also have a train the trainer scheduled in January 2009 to attract more trainers for facilitating these Perspectives on Profiling trainings.

4. Recommendations for Addressing Racially Biased Policing and Law Enforcement-Citizen Relations in the State of Oregon.

Below are some key conclusions from the LECC work in 2008.

- 1) Our training efforts using the Perspectives on Profiling have been the most widely accepted and sought after component of the LECC's outreach to law enforcement agencies. Feedback evaluations have been very enthusiastic. 85% of respondents would recommend the training to other officers. Given initial reluctance on the part of the law enforcement community towards training many years ago and the lack of standardized training on this issue in Oregon, the implementation of the Perspectives on Profiling curriculum has been a major advancement and improvement for the State.
- 2) Law enforcement, community, and government stakeholders need to be better educated about the purpose, expectations, and benefits of traffic stop data collection. In particular, the LECC, law enforcement agencies and the public need to consider and assess the merits of the following statements:
 - a. Traffic stop data should not be used as a 'pass-fail' test. Stop data alone cannot confirm whether or not a police department has a problem with racial/ethnic profiling or bias.
 - b. Although we do find evidence of disparities, often with qualifiers and limitations, the source of racial/ethnic bias cannot be directly measured with the official data available.
 - c. Data should be viewed as a diagnostic tool to help pinpoint the decisions, geographic areas, and procedures that should get priority attention when the agency, in concert with concerned constituents, identifies its next steps for addressing the problem or perception of racial profiling.

The proposed 2009 work plan for LECC entails the following:

- 1) Conduct ten regional trainings in 2009.
- 2) Expand training offerings in 2009 to include a Metro-area regional training, more in-service training, and an FTO-related training.
- 3) Implement an adult survey of Oregon drivers to continue our monitoring of public perceptions.
- 4) Examine the 2007 adult survey of Oregon drivers to identify other factors that inform public attitudes regarding police bias.
- 5) Explore how other factors collected by the Corvallis PD can advance our knowledge about search decision making.
- 6) Explore the legal risks involved in traffic stop data collection, and lack of collection, and provide that information to agencies.
- 7) Continue working with the Willamette Valley Communications Center and other communications centers to explore options for implementing additional traffic stop data collection systems.

- 8) The LECC will continue to monitor the impact of SB 1080 on communities of color, and particularly on immigrants within those communities.
- 9) Develop guidance and criteria for agencies and communities so they can objectively assess the success of their data collection efforts and partnership.
- 10) Continue to utilize well respected law enforcement advocates of data collection, particularly those who have first hand experience in implementing such systems, to problem-solve obstacles and ease the fears of agencies not collecting data.
- 11) Work to increase state recognition and appreciation for the agencies that are participating in data collection.

2008 Annual Report of the Law Enforcement Contacts Policy and Data Review Committee

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....”³

The Committee:

The Law Enforcement Contacts Policy and Data Review Committee (LECC) was created by 2001 Senate Bill 415 for a period of six years, ending December 31, 2007. That sunset was lifted with the passage of HB 2102. A copy of ORS 131.905 et seq., which codified HB2102, can be found in Appendix A of this report.

The committee is charged with the responsibility to report annually on its efforts to:

- Solicit demographic data concerning law enforcement stops and other contacts between state and local law enforcement agencies and individuals;
- Publicize programs, procedures and policies from communities that have made progress toward eliminating discrimination based on race, color or national origin during law enforcement stops and other contacts with individuals;
- Provide technical assistance to state and local law enforcement agencies that desire to begin collecting demographic data, including refinement of the minimum data elements as necessary for effective analysis;
- Provide technical assistance to communities and state and local law enforcement agencies that desire to engage in local efforts to involve individuals in the establishment and implementation of programs, procedures and policies that will advance the goal of the act;
- Obtain resources for independent analysis and interpretation of demographic data collected by state or local law enforcement agencies;
- Accept and analyze demographic data collected by a state or local law enforcement agency if requested by a state or local law enforcement agency and if resources are available; and

³ ORS 131.905 et seq. (See Appendix A)

- Report to the public the results of analyses of demographic data.

The committee is composed of eleven members appointed by the Governor. The current members of the committee, as of December 2008, are:

Edwin Peterson, LECC Chair Senior Judge and Distinguished Jurist in Residence, Willamette University College of Law	
Todd Anderson Tillamook County Sheriff	Annabelle Jaramillo** Benton County Commissioner
Gilbert P Carrasco Professor of Law Willamette University College of Law	Timothy McLain* Superintendent Oregon State Police
Kevin Díaz Attorney	John Minnis Director Department of Public Safety Standards and Training (DPSST)
William Feyerherm*** Vice Provost for Research and Graduate Studies Portland State University	Rosanne Sizer Chief of Police Portland Police Bureau
David Fidanque Executive Director ACLU Oregon	Frank Thompson Superintendent Santiam Correctional Institution

*Appointed in 2008

** Chair of the Community Relations Subcommittee

***Chair of the Data Review Subcommittee

One LECC committee member resigned his positions in 2008. The LECC would like to extend their appreciation for the dedication of the following former committee member:

- Lt. Col. Greg Willeford, Oregon State Police

Current and former LECC staff or consultants in 2008:

- Dr. Scott Akins, Oregon State University
- Dr. Jan Chaiken, Consultant
- Captain Gerry Gregg, Oregon State Police
- Craig Prins, Executive Director, Oregon Criminal Justice Commission
- Lt. Henry Reimann, Hillsboro Police Department
- Dr. Brian Renauer, Director, Criminal Justice Policy Research Institute, Portland State University

- Mike Stafford, Public Safety Coordinator, Oregon Criminal Justice Commission
- Emily Covelli, Research Assistant, Criminal Justice Policy Research Institute, Portland State University
- Alyssa Tibbs, Administrative & Research Assistant, Criminal Justice Policy Research Institute, Portland State University
- Laura Uva, Administrative & Research Assistant, Criminal Justice Policy Research Institute, Portland State University

Background:

Efforts to address charges of racially biased policing on the part of law enforcement officers became a statutory mandate during the 69th Legislative Assembly in 1997. During that session, a top priority of law enforcement agencies was a revision of the statute regulating stops of citizens by police. The debate stirred by that issue resulted in House Bill 2433. That bill included several provisions intended to provide a compromise between law enforcement agencies that sought to make stops more effective and safer for officers, and community groups that sought to protect the civil rights of those stopped.

HB 2433 included several provisions intended to foster the protection of the rights of citizens by requiring:

- All state and local law enforcement agencies in Oregon to adopt policies prohibiting the practice of racially biased policing.
- All law enforcement agencies to adopt means to facilitate the filing of complaints by citizens who felt that their rights had been violated, and to develop a process to resolve those complaints.
- All law enforcement agencies to report to the Asset Forfeiture Oversight Advisory Committee the number and type of complaints filed during the first year after the adoption of HB 2433.
- Initiation of data collection in an effort to move away from anecdotal information.

Implementation of HB 2433 was coordinated by a workgroup under the auspices of the Governor's Public Safety Policy and Planning Council. At its inception, this workgroup comprised over 60 members from diverse groups and backgrounds who were able to come to agreement on three basic principles:

- All law enforcement agencies should be responsible for their actions.
- No person should be subject to improper law enforcement conduct.
- Every person has the right to a fair and prompt response to a complaint.

The first action of the workgroup was the adoption of a model policy for law enforcement agencies that was distributed to all law enforcement agencies in Oregon. That policy, or one similar to it, was adopted by every Oregon law enforcement agency.

The workgroup identified three purposes for data collection: 1) to evaluate the implementation of the new stop and search law; 2) to ensure the fair and equitable implementation of the law; and 3) to increase public awareness and confidence in the application of the law.

The data collection effort itself focused on three activities. The first was a public perception survey to ascertain how the general public and two specific minority groups viewed the new law and to determine the perceived extent of racially biased policing in Oregon. The second was to collect data on the types of complaints filed against law enforcement officers. The third was to encourage the development of a full traffic stop data collection effort.

In the furtherance of those efforts, the workgroup made its report to the 1999 Legislature along with several recommendations for further work. The Legislature did not act on those recommendations at that time.

In 2001, then-Rep. Vicki Walker introduced HB 2441 which would have required law enforcement agencies to collect traffic stop data and report the data to the state. A broad spectrum of interested parties deliberated on HB 2441. These discussions ultimately resulted in the passage of SB 415, which provided for voluntary data collection by law enforcement agencies and the formation of the LECC. The bill was supported unanimously by all interested parties and passed the Legislature without a dissenting vote.

The LECC officially convened February 5, 2002 and quickly established two subcommittees: Data Review and Community Relations. During the following year, the LECC received testimony and information from a variety of sources, including communities working to address data collection and community involvement issues, entities conducting state and national surveys related to racially biased policing, and agencies working on developing law enforcement training.

The Data Review Subcommittee solicited and received data from law enforcement agencies and did some preliminary analysis of that data. Methods to merge data contributed by individual agencies into a statewide database were developed and appropriate conclusions were drawn from the combined data. However, due to the lack of data from a broader base of agencies, it was not possible to draw statistically valid inferences from the data.

The Community Relations Subcommittee, which was co-chaired by Commissioner Annabelle Jaramillo and Chief Walt Myers, focused on involving police agencies and communities in discussions on racially biased policing issues. The committee also received information on a variety of approaches to community involvement activities, worked with experts in the field, and began the process of identifying methods and information.

As with many other agencies, budget reductions and the related state employee hiring freeze hindered the Committee's efforts to fulfill its statutory responsibilities. The level of staffing at the Oregon Criminal Justice Commission (CJC) was not adequate to support the work of the LECC. Thus, the LECC suspended its efforts in February 2003. The hiatus lasted until early 2005 when the CJC contracted with the Criminal Justice Policy Research Institute (CJPRI) at Portland State University for staff support. The LECC formally began meeting again on March 2, 2005.

The LECC was scheduled to sunset on December 31, 2007. The LECC in partnership with the Oregon Criminal Justice Commission helped draft House Bill 2102. HB 2102 made the LECC permanent and removed restrictions on data that the committee may receive and analyze. HB 2102 transfers administration of the committee from the Oregon Criminal Justice Commission to Portland State University.

In 2006-2007, the LECC in partnership with the Criminal Justice Policy Research Institute and the Traffic Safety Division of the Oregon Department of Transportation were awarded two grants from the National Highway Traffic Safety Administration (NHTSA-2006-23772). These grants will fund the activities of the LECC until 2011. The grant program is called the "Incentive Grant Program to Prohibit Racial Profiling" under section 1906 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Federal Register, Vol. 71, No. 22, pp. 5727-5729).

LECC Activities 2008

Technical Assistance Outreach

Technical Assistance Outreach Letter

A renewed effort to promote the technical services that LECC can offer law enforcement agencies was undertaken in 2008. In April of 2008, LECC representatives David Fidanque, Brian Renauer, Mike Stafford, and Greg Willeford met with Kevin Campbell of the Oregon Association of Chiefs of Police (OACP) and Raul Ramirez of the Oregon State Sheriff's Association (OSSA) strategies to encourage more law enforcement involvement in traffic stop data collection. This discussion led to the creation of a letter to all law enforcement Police Chiefs and Sheriffs that described how stop data is collected, how the LECC can help agencies, why agencies should collect traffic stop data, and other ways the LECC could help agencies. The letter is reproduced in Appendix B.

The technical assistance letter was circulated to all Chiefs and Sheriffs in May 2008 and a presentation was made to the Oregon Sheriffs Association meeting in June 2008. This outreach effort lead to contacts with two agencies (Lebanon PD, Pilot Rock PD) that are not currently collecting traffic stop data and one agency (Monmouth PD) that has collected stop data with a written form.

Partnership with Willamette Valley Communication Center

Dr. Renauer met with the Director of the Willamette Valley Communication Center (WVCC) Mark Buchholz on August 15, 2008. Chief Tallan of the Monmouth Police Department also attended this meeting. The WVCC manages police dispatch and other communications services for multiple police and fire agencies in the Marion county area.

At this meeting, they discussed the possibility of exploring a change to data collection in WVCC data systems. WVCC asked Dr. Renauer to prepare a proposal to their partner agencies that would delineate the different options available in terms of collecting stop data. Four different systems were identified at this meeting: 1) CAD, 2) Field Reporting, 3) E-Citation, 4) Scantron.

This proposal would include a description of the different collection systems, listing pros and cons, estimates of the costs and work involved for each of the systems, and a loose timeframe of the major tasks that would need to be done in order to get each system up and running. Dr. Renauer is scheduled to present the proposal at the WVCC PRIORS meeting on January 28, 2009.

The LECC is looking to create a model partnership with the WVCC that can be expanded to other communications centers in the state. Working through

communication centers may be a model to attract more agency involvement in traffic stop data collection than approaching individual agencies.

LECC Findings Regarding Disparity in Stops, Searches, and Search Outcomes

The LECC has received and analyzed traffic data from five Oregon police agencies: Hillsboro PD, Oregon State Police (OSP), Corvallis PD, Beaverton PD, and Eugene PD. Early analysis of data from these agencies was combined into one large data set because the number of stops, and particularly searches, were too low to individually create a statistically valid data set. Recent examinations of stop data from Hillsboro PD, OSP, and Corvallis PD in 2006 and 2007 take advantage of the entire five years for which each of these agencies have been collecting data (which is up to 7 years now). The longer data collection timeframe allows for a more robust analysis and statistical confidence.

The key areas of disparity that have been explored in the 2006 and 2007 LECC reports are the following:

- Whether there is disparity in the percentage of stops for racial/ethnic groups compared to their percentage of the driving population in the jurisdiction
- Whether there is disparity in the percentage of stops that result in a non-inventory search across race/ethnicity
- Whether there is disparity in the percentage of searches that result in any criminal evidence being found across races/ethnicity

Table 1 below shows the results of our disparity analyses across these three jurisdictions. The results in Table 1 form the following conclusions:

- 1) Across all three jurisdictions African American motorists are more likely to be stopped compared to their percentage of the population aged 16 and older. In two out of three jurisdictions Hispanic drivers are more likely to be stopped compared to their percentage of the driving-aged population.
 - a. Despite evidence of disparity, the percentage differences are generally small. Moreover, the use of census population data as an indicator of a racial/ethnic group's likelihood of being stopped is strongly disputed in the literature, thus the LECC is not confident in these disparity findings. Our annual reports in 2005, 2006, and 2007 detail the limitations with this type of disparity analysis
- 2) Across all three jurisdictions African American and Hispanic motorists are more likely to be searched compared to White motorists. In most cases, these differences in search experiences of African American and Hispanic drivers, compared to White drivers, are statistically significant.
 - a. The implication of this search disparity is difficult to determine because our analysis lumps all search categories together. Some searches are automatically performed incident to arresting a suspect for officer safety and based on department policy and practice. Such "non-discretionary"

searches appear less likely to involve any form of conscious or unconscious bias on the part of the arresting officer. In contrast, consent searches, weapons pat-down searches, and plain view searches appear more discretionary and susceptible to conscious and unconscious racial/ethnic biases. Future search analyses need to distinguish between discretionary and non-discretionary searches.

- b. Interpreting the meaning of search disparity is also difficult because of the limited amount of data on traffic stop characteristics collected by these agencies. Search decisions are based on a variety of behavioral and contextual cues that raise an officer's suspicion and sense of probable cause that are not being captured in stop data systems.
 - c. Although we find statistically significant search differences across race/ethnicity, the size of the disparity may not be "socially significant". For example, in Corvallis only four more African American and thirteen more Hispanic drivers were searched per year than expected if there were no differences with White drivers. In other words, are four additional searches of African American motorists per year enough to elevate a concern that bias exists or change community perceptions?
- 3) Across all three jurisdictions White motorists are more likely to yield criminal evidence when searched compared to African American and Hispanic motorists. Most of these differences in search outcomes between White and Minority drivers are statistically significant.
- a. This finding, which does raise the possibility that officers are biased towards racial and ethnic drivers in their search decisions, can also be misleading. More specifically, the data cannot parse out different types of searches and is limited in contextual information about the stop.

Table 1: Disparity in Stops, Searches, and Search Outcomes

AGENCY	Disparity in Stops	Disparity in Searches	Disparity in Search Outcomes
Hillsboro PD 2001-2005	African American drivers (+1.1%) more likely to be stopped compared to their % of population aged 16+.	African American drivers (+.7%) more likely searched than White drivers.	White drivers (+2.1%) more likely found with criminal evidence than African American drivers.
	Hispanic drivers (+6.9%) more likely to be stopped compared to their % of population aged 16+.	Hispanic drivers (+2%) more likely to be searched than White drivers.	White drivers (+5.5%) more likely found with criminal evidence than Hispanic drivers.
Oregon State Police 2001- 2005	African American drivers (+.1%) more likely to be stopped compared to their % of population aged 16+.	African American drivers (+1.3%) more likely searched than White drivers.	White drivers (+7.4%) more likely found with criminal evidence than African American drivers.
	Hispanic drivers (+1.3%) more likely to be stopped compared to their % of population aged 16+.	Hispanic drivers (+2.5%) more likely to be searched than White drivers.	White drivers (+8.7%) more likely found with criminal evidence than Hispanic drivers.
Corvallis PD 2002-2006	African American drivers (+1%) more likely to be stopped compared to their % of population aged 16+.	African American drivers (+1.8%) more likely searched than White drivers.	White drivers (+7.9%) more likely found with criminal evidence than African American drivers.
	Hispanic drivers (-.9%) less likely to be stopped compared to their % of population aged 16+.	Hispanic drivers (+2.8%) more likely to be searched than White drivers.	White drivers (+1.2%) more likely found with criminal evidence than Hispanic drivers.

Our analysis of police stop data from these three jurisdictions reveals evidence of disparity; however there is a qualification or limitation to each case of disparity. Most of these qualifications are due to the limited data that is collected about each traffic stop which typically encompasses only five data points.

The Corvallis police department data collection system is the exception to the limited amounts of data collected during traffic stops. The Corvallis stop data system allows officers to record the reasons behind a search (e.g. incident to arrest, consent, weapon-pat down), the time of day, number of passengers, police geographic patrol area, and many other data points. The LECC is working on an analysis of search decisions and search outcomes that explores how other factors collected by the Corvallis PD can advance our knowledge about search decision making. If the findings from the forthcoming Corvallis analysis can be replicated elsewhere, we may be able to identify key policy and training considerations.

“Perspectives on Profiling” Regional Training

The Law Enforcement Contacts Policy and Data Review Committee (LECC) partners with the Simon Wiesenthal Center and the Oregon Department of Public Safety Standards and Training (DPSST) to offer a regional training throughout the state of Oregon called “Tactical Ethics - Perspectives on Profiling”.

“Tactical Ethics - Perspectives on Profiling”, taught by Oregon Law Enforcement officers, is an interactive virtual learning experience that compels users to make critical choices in testing situations. This program is designed for police managers, mid-level supervisors, training officers, and line officers. It is part of the Tools for Tolerance® for Law Enforcement at the Simon Wiesenthal Center’s Museum of Tolerance. This interactive training video is a cutting edge training tool that is sensitive to the challenges that face law enforcement both in reality and in the management of public perception. The presentation involves real life situational choices. This unique training tool confronts a number of complex issues that surround traffic stops. When is race an appropriate factor in a profile? What is the role of probable cause? How can intuitive powers be utilized without unintentional bias? What can be done to avoid escalation in racially-charged stops?

The following regional training sessions were held in Oregon in 2008:

- April 9, 2008: Coos Bay
- April 10, 2008: Eugene
- May 14, 2008: Pendleton
- May 15, 2008: The Dalles
- June 10, 2008: Madras
- June 11, 2008: Bend
- June 25, 2008: Klamath Falls
- June 26, 2008: Grants Pass

Two in-service training sessions were held for the Benton County Sheriff’s Office on October 8th and 22nd at Oregon State University.

These training sessions were led by the following Oregon law enforcement personnel: Officer Ryan Lewton of the Portland Police Bureau, Sgt. Clay Stephens of the Benton County Sheriff’s Office and Sgt. Jana McCandless of the Tillamook County Sheriff’s Office. These trainings were also staffed by Dr. Brian Renauer and Emily Covelli of Portland State University, Mike Stafford of Oregon Criminal Justice Commission, Lt. Henry Reimann of the Hillsboro Police Department and Capt. Suzanne Isham of the Department of Public Safety Standards and Training.

A total of 57 officers from 11 different law enforcement agencies received the Perspectives on Profiling training during the spring regional trainings. An additional 56 officers from 3 different agencies were trained at Oregon State University this October

during Benton County Sheriff's inservice training. Thus, the LECC has trained 113 officers from 14 different Oregon agencies in 2008 using the Perspectives on Profiling curriculum.

A voluntary written feedback survey was given directly to the attendees after some of the training sessions. This questionnaire was offered at the Coos Bay, Eugene, Pendleton, Grants Pass, Klamath Falls and Corvallis sessions. A total of 102 surveys were returned. The feedback from these surveys has been consistently positive overall. This report offers a summary of the feedback that we've received about this training.

TRAINING EVALUATION FEEDBACK

The survey for this training consists of five open ended questions and seven questions with closed ended responses that can be responded to with a 10 point scale. This scale ranges from 1, meaning that the respondent strongly disagrees, to 10, meaning the respondent strongly agrees.

Closed Response Questions

The following offers a brief summary of the feedback for the closed ended questions. The results are also shown in Table 1.

1) The trainers engaged us in the subject matter.

Overall, respondents appeared to find the trainers engaging. Seventy-six percent of respondents replied with a score of seven or above, on the scale of one to ten. Less than eight percent responded with a score below five.

2) The trainers were persons we could relate to.

Most respondents were able to relate to the trainers. Seventy-six percent of respondents indicated a score of eight or above and only three percent responded with a score below five.

3) The trainers had extensive experience in the subject matter.

Most respondents agreed that the trainers had extensive experience in the subject matter, with 79 percent marking a score of seven or above. Only four percent of respondents rated the trainer's experience below a five.

4) The trainers were able to answer participant's questions.

Seventy-four percent of respondents scored the trainers with an eight or above, on the scale of one to ten, for their ability to answer participant's questions. Less than four percent of respondents scored the trainers below a five for this question.

5) The trainers and content matter challenged my opinions about race and police.

The most variability in responses was found for question five and six. Still, most respondents agreed that the trainers and content was challenging. Approximately fifty-five percent of respondents marked a score of eight or above, on the scale of one to ten. Only nine percent responded with a score less than five.

6) The training seemed “watered down”, meaning it didn’t confront the difficult issues of race, police and bias.

Seventy percent of the respondents replied with a score of four or below, indicating that they did *not* agree that the training seemed “watered down”. Less than twenty percent replied with a score above five, suggesting that they felt the training was at least somewhat “watered down”.

7) I would recommend this training to other law enforcement officers.

The vast majority (85.3 percent) of respondents agreed that they would recommend this training to other law enforcement officers, with approximately one-quarter of respondents scoring a ten, indicating that they strongly agreed.

Table 1. Distribution of Responses from Feedback Surveys

	Strongly Disagree									Strongly Agree
	1	2	3	4	5	6	7	8	9	10
1. The trainers engaged us in the subject matter.	1.0%	1.0%	2.9%	2.9%	4.9%	10.8%	18.6%	19.6%	18.6%	19.6%
2. The trainers were persons we could relate to.	0%	0%	1.0%	2.0%	6.9%	5.9%	7.8%	27.5%	22.5%	26.5%
3. The trainers had extensive experience in the subject matter.	2.0%	0%	1.0%	1.0%	8.8%	7.8%	11.8%	28.4%	20.6%	18.6%
4. The trainers were able to answer participant's questions.	0%	0%	2.9%	1.0%	6.9%	5.9%	8.8%	25.5%	24.5%	24.5%
5. The trainers and content matter challenged my opinions about race and police.	3.0%	5.0%	7.9%	5.9%	11.9%	17.8%	13.9%	14.9%	5.0%	14.9%
6. The training seemed "watered down", meaning it didn't confront the difficult issues of race, police and bias.	17.6%	18.6%	19.6%	14.7%	9.8%	4.9%	5.9%	4.9%	1.0%	2.9%
7. I would recommend this training to other law enforcement officers.	2.0%	2.0%	3.0%	3.0%	5.0%	11.9%	14.9%	14.9%	18.8%	24.8%

Overall the results were similar throughout the individual training sessions but there was some variability noted in Table 2 below. Those in the Eugene training tended to have more positive feedback than the average across all the training sessions. Those in Coos Bay had the highest average on question five, indicating that they agreed more strongly that the training challenged their opinions. Corvallis had the lowest average for this question.

Respondents from the training at Klamath Falls indicated the strongest trend of disagreement with the statement that the training seemed “watered down”, and respondents from Corvallis indicated the most agreement with this statement. The averages for each training session surveyed are presented in Table 2. The differences demonstrated between the responses to the training may represent variation related to the participants, area, random variation, or how the training was conducted at a particular session. It is also important to note that the training in Corvallis was conducted under a shorter time frame than the regular regional training sessions. The less positive feedback from Corvallis may be related to having to shorten the training curriculum.

Table 2. Average Response to the Feedback Questions

	Overall Average N = 102	Coos Bay N = 10	Eugene N = 6	Pendleton N = 11	Grants Pass N = 6	Klamath Falls N = 12	Corvallis Oct 8 N = 28	Corvallis Oct 22 N = 29
1. The trainers engaged us in the subject matter.	8.3	8.6	9.7	8.3	8.8	9.0	7.2	6.3
2. The trainers were persons we could relate to.	8.6	8.8	9.5	8.7	8.8	9.1	8.0	7.3
3. The trainers had extensive experience in the subject matter.	8.3	8.7	9.3	8.6	8.5	8.2	7.5	7.0
4. The trainers were able to answer participant's questions.	8.5	8.8	9.3	9.2	8.7	8.8	7.7	7.3
5. The trainers and content matter challenged my opinions about race and police.	7.0	8.6	8.0	7.3	7.2	6.8	5.4	5.6
6. The training seemed "watered down", meaning it didn't confront the difficult issues of race, police and bias.	3.5	3.0	3.3	3.8	3.5	2.3	4.4	3.9
7. I would recommend this training to other law enforcement officers.	8.2	9.2	9.2	8.6	8.7	8.7	6.5	6.8

Open-ended questions

The respondents also had the opportunity to provide written feedback on open ended questions. The survey used for Coos Bay and Eugene only included the first open ended question. The following provides a brief overview of these responses.

1) Please tell us the principal reason or reasons you participated in today's training.

Of the 102 respondents, 58 expressed that the main reason for attending the training was because they were mandated or requested to attend. The majority of the 57 respondents of the trainings held in Corvallis were mandated to attend. Of the remaining 45 respondents from the trainings in other locations, only 12 indicated that they attended because it was mandated or they were requested to attend. Thirty-two said that they saw this as an opportunity for more training. Most of the latter group wanted more training to increase their supervision skills, to gain training hours, or they thought this issue was pertinent to their job and either wanted to refresh their skills or learn more about it.

2) As you prepared to attend this training today, what did you think the training would be like?

Out of eighty-six respondents, thirty-eight responded that they thought the training would be about racial profiling or ethics, twenty-two said they weren't sure, five noted that they thought it would be lecture style, and four expressed that they knew it would be interactive. Some expected that the training would cover a broader scope of ethical issues rather than a focus on racial profiling.

3) What did you like about the training?

Fifty-eight, out of the eighty-six respondents, expressed that they liked the interaction in the training. Some comments focused on the scenario based video, while others focused on the presentation style or group discussions. They appeared to enjoy hearing about each others' ideas on this topic. An additional eighteen respondents commented on how the material was thought provoking and useful for their profession. These comments were found among both, those that were mandated to attend the training and those that initially had a particular interest in the training.

4) What did you dislike about the training?

Of the eighty-six respondents, thirty-five people left this item blank or expressed that there was nothing they disliked about the training. Fourteen respondents expressed that the training was a little slow at times or that it needed more in-depth discussions. Twenty-nine respondents commented on the video and that they thought it could be improved. Some of the concerns with the video were that the questions and responses were too easy and predictable, the response options were too limiting, and that the actors were unrealistic. It was also mentioned that the time taken to read directly from

the video was too extensive, and that the video should relate more directly and specifically to Oregon issues.

5) How do you feel about the importance of this training for law enforcement officers?

The majority of respondents (61 out of 86) appeared to think that this training is very important to this field. Four respondents indicated that it was of low priority or ineffective, and six respondents indicated that it was of moderate importance.

In Summary

The feedback from the participants has been extremely beneficial for gauging whether or not the training has been successful in meeting the needs of law enforcement. Overall, it appears that this training is important for law enforcement and is being conducted in such a way that is appealing to the participants. However, it also appears that the training could be improved to increase its appeal and effectiveness. For instance, it appears that participants would like the training to become even more interactive, challenging and involve deeper discussions. It may also be beneficial to review what is being cut out of the training when it's conducted under shorter sessions, such as with the Corvallis sessions. There may be a more effective way to design these shorter training sessions so that participants

Future Plans

The LECC, in cooperation with DPSST, will continue to organize and conduct "Tactical Ethics - Perspectives on Profiling" regional trainings in 2009. The current tentative schedule for the 2009 regional trainings is the following:

Locations	Month
Brookings, Coos co., Seaside	January or February 2009
Klamath falls, Sutherlin, White City	March 2009
Burns, Bend, Prineville	April 2009
Ontario, Hood River, Umatilla Co	May 2009
Eugene, Salem metro	June 2009

This schedule will increase the amount of regional trainings that were carried out in 2008.

In January 2009, a train the trainer training for the "Tactical Ethics - Perspectives on Profiling" curriculum will be conducted in Oregon by the Simon Wiesenthal Center. This will allow more law enforcement professionals to become trained in this curriculum and become available for facilitating regional and in-service trainings in Oregon.

The LECC will continue to work with its partners to assess the best ways to expand the use of the “Tactical Ethics - Perspectives on Profiling” training for Oregon law enforcement. We will also continue to track the feedback from these trainings, explore additional ways to measure its effectiveness, and look for ways to improve the value of the training.

Minority Commissions: Collaboration with Oregon Minority Commissions

This year, the LECC has begun partnering with the Oregon Commission on Black Affairs (OCBA), the Oregon Commission on Hispanic Affairs, the Oregon Commission on Asian Affairs and the Oregon Commission for Women. The LECC appointed Frank Thompson, who is both an LECC member and a member of the OCBA, to serve as the LECC Liaison to these Oregon minority commissions. Gilbert Carrasco, an LECC member, has been asked to serve as a member of the Commission on Hispanic Affairs. The LECC supports this involvement as well.

Several LECC members attended a joint meeting with the Oregon minority commissions on September 11, 2008. The LECC members that attended this meeting were Commissioner Jaramillo, Mr. Thompson, Mr. Fidanque, Mr. Carrasco and Mr. Díaz. Representatives of each of the Oregon minority commissions were present at the meeting, as well as three representatives of the Governor's office.

This meeting was educational for all involved and sparked a lot of productive dialogue. The representatives of the minority commissions and the Governor's office were very excited to hear about the work that the LECC has been doing. The minority commissions also shared some information and concerns of which many of the LECC members had not been aware, making this a very informative event for everyone.

Commission members expressed a strong interest in continuing to meet and collaborate with the LECC. The LECC is currently planning to send representatives to the Oregon minority commission meetings around the state.

The Oregon Commission on Hispanic Affairs asked the LECC if they could provide a brochure for newcomers to the United States that describes how to appropriately respond during traffic stops in the U.S. From this request and from other concerns that were brought up regarding miscommunications between the police and citizens during interactions, the LECC has begun researching existing brochures and will assess whether creating a public brochure regarding police-citizen interactions might help meet the goals of the LECC.

Governor's Summit

The Oregon Youth Authority (OYA) invited the LECC to give presentations on their work at two sessions of the Governor's Summit on Minority Over-Representation on November 17 and 18, 2008. The Governor's Summit on Minority Over-Representation is an annual event that has the long-term goal of reducing minority over-representation in the juvenile justice system through strategic partnerships that develop a sustainable, ongoing effort to address over-representation. It is also a celebration of progress made by many committed state and community based groups and organizations. The 2008 Summit marked the 10th Anniversary of this annual event.

The first LECC session at the Summit, entitled "Law Enforcement Contacts Committee: An Update on Racial Profiling Efforts in Oregon," was held on November 17, 2008. This presentation was conducted by LECC members Justice Edwin Peterson, Sheriff Todd Anderson, and Mr. David Fidanque, as well as former LECC member Lt. Col. Greg Willeford, and LECC staff Dr. Brian Renauer. LECC staff, Mike Stafford, Emma Covelli, Alyssa Tibbs and Laura Uva were also present.

The goal of this presentation was to inform Summit attendees of the history and efforts of the LECC to investigate and address the issue of racial profiling in Oregon. The learning objectives of this session were: (1) To allow the audience to learn the difference between racial profiling and criminal profiling; (2) To observe how the efforts of the LECC help agencies identify racist undertones within a department's culture, and how to insulate themselves from its effect; and (3) To learn the statistical data gathering and analysis methodologies used to either confirm or disconfirm the existence of racial profiling within participating law enforcement agencies. The presentation included information on the history of the LECC and its mission, as well as descriptions of the LECC efforts in stop data collection and analysis, public perception surveys, law enforcement training and community outreach and collaboration. Approximately 18 diverse representatives of law enforcement and social services from Oregon and beyond attended this presentation. Some audience members commented on the systemic problems of poverty that underlie the issue of racially biased policing, and encouraged the LECC to involve public health personnel in their efforts.

The second LECC session at the Summit, entitled "Understanding the Impacts of Racial Profiling: Training for Oregon Law Enforcement," was held on November 18, 2008. This presentation was conducted by Lt. Henry Reimann of the Hillsboro Police Department and LECC member Frank Thompson. LECC staff, Mike Stafford, Emma Covelli and Laura Uva were also present.

The goal of the second presentation was to provide an introduction, overview and sample of the "Tactical Ethics – Perspectives on Profiling" regional training that the LECC partnered with the Simon Wiesenthal Center and the Oregon Department of Public Safety Standards and Training (DPSST) to implement in Oregon.

The Simon Wiesenthal Center “Perspectives on Profiling” training is a program that includes an interactive virtual learning experience segment. It compels trainees to make critical choices in testing situations. Unique to this program is the ability to see the outcome of the user's choices and evaluate their consequences. This training tool moves officers into a new paradigm of thought on the subject of racial profiling. It is sensitive to the challenges that face law enforcement both in reality and in the management of public perception. The product is founded on a robust ethical perspective projected into real life situational choices. The objective of this training is to allow law enforcement officers to confront a number of complex issues that surround the debate on racial profiling.

Lt. Reimann and Superintendent Thompson described the LECC's involvement in the implementation of this regional training, as well as in the development of scenarios for the DPSST Academy for new recruits. Approximately 36 representatives of law enforcement and social services attended this presentation. Discussion topics brought up by audience members included the importance of law enforcement personnel developing relationships with communities of color, and the difference between criminal profiling and racial profiling.

Changes in the Oregon Drivers' License

Pursuant to the Committee's authorizing legislation, ORS 131.905 et seq., one of the Legislature's goals in creating the Committee was to ensure that "all law enforcement agencies perform their missions without inappropriate use of race, color or national origin as the basis for law enforcement actions." In addition, ORS 131.906(3)(b) provides that the Committee should "provide opportunities for communities and state and local law enforcement agencies to work together to increase public trust and confidence in law enforcement and to enhance the capacity of communities and law enforcement agencies to provide more effective public safety services."

In the 2008 special legislative session, the Governor proposed, and the Legislature approved, SB 1080 which requires all applicants for new, replacement or renewal driver license or identification cards to provide proof of citizenship or "lawful presence" in the U.S. Soon after, several members of the Committee expressed concern that passage of the new law would lead to increased targeting of Hispanic and immigrant drivers for enforcement actions by law enforcement. Those Committee members also expressed concern that the new requirements would result in increased numbers of citations and arrests related to the offenses of driving uninsured and driving without a license. Some Committee members also expressed concern about the potential negative public safety implications of the federal Real-ID Act if eventually it is implemented fully in Oregon.

During a joint meeting of the LECC with the Oregon minority commissions that took place on September 11, 2008, these issues were discussed with representatives of the Governor's office and the Department of Motor Vehicles.

At that meeting, LECC was advised by representatives of the Oregon Commission on Black Affairs (with respect to the Ethiopian community) and of the Oregon Commission on Hispanic Affairs (with respect to the Latino community) that the new licensing scheme has led to a variety of problems in these communities, including questioning with regard to immigration status by law enforcement officers during traffic stops. Oregon law restricts state and local law enforcement agencies from using agency resources "for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws." ORS 181.850. *See also, United States v. Rincon-Jimenez*, 595 F.2d 1192 (9th Cir. 1979).

The reports to the LECC have been echoed in the news media:

"The law has had other effects: lost jobs, fewer people buying auto insurance, home foreclosures and concerns that fewer people are calling for help to social service agencies and police. *** The law has increased fear among all Latinos, even those eligible for a license, [CAUSA Coordinator Aeryca] Steinbauer said, 'because they feel like the DMV is like the immigration office.' 'We're seeing a greater fear of law enforcement,' [Cornelius Police Chief Paul Rubenstein] said.

'People that need emergency services like 9-1-1 are hesitant to use them.' 'It's having a very negative effect,' said Rich Garrick with Welpland Insurance.... 'They are consumers and, for the most part, they no longer purchase insurance.'... Jose de Jesus, a Hillsboro resident who asked that his last name not be used because he's undocumented, lost his job as a driver for a Hillsboro supermarket when his license expired in June.... [H]e said[,] '[w]e're going to stay. I'm not a criminal, I'm working to feed my family, and I have faith that our condition will improve.'" Gosia Wozniacka, *Spanish language DMV tests plummet*, *The Oregonian A1* (11/3/2008).
http://www.oregonlive.com/news/index.ssf/2008/11/spanish_drivers_license_tests.html

That same *Oregonian* article estimated that there are between 120,000 to 175,000 residents of Oregon who do not have legal immigration status. Immigration rights advocates believe most will choose to stay in Oregon even if they are unable to obtain or renew driver licenses. In 2008, the Legislature also approved HB 3625 which requires the Oregon Department of Transportation to monitor changes in the rate of uninsured drivers, unlicensed drivers, and the number of accidents in which they are involved as a result of SB 1080.

In light of the LECC's familiarity with data collection and analysis related to law enforcement issues, the Committee met with DMV and ODOT representatives on November 5, 2008 to discuss the implementation of HB 3625 and to explore ways in which the LECC could provide assistance. It was agreed by all involved that the LECC, DMV and ODOT would seek ways to cooperate on the collection of the data required by HB 3625.

The LECC will continue to monitor the impact of SB 1080 on law enforcement practices and communities of color, and particularly on immigrants within those communities. In doing so, the LECC will continue to consider the counterproductive effects of a driver's license scheme that is expected to have the consequence of diminishing public safety because of an increase in the number of drivers who are unlicensed and uninsured.

Conclusions, Recommendations and Future Tasks

Below are some key conclusions from the LECC work in 2008.

- 1) Our training efforts using the Perspectives on Profiling have been the most widely accepted and sought after component of the LECC's outreach to law enforcement agencies. Feedback evaluations have been very enthusiastic. 97% of respondents would recommend the training to other officers. Given initial reluctance on the part of the law enforcement community towards training many years ago and the lack of standardized training on this issue in Oregon, the implementation of the Perspectives on Profiling curriculum has been a major advancement and improvement for the State.
- 2) Law enforcement, community, and government stakeholders need to be better educated about the purpose, expectations, and benefits of traffic stop data collection. In particular, the LECC, law enforcement agencies and the public need to consider and assess the merits of the following statements:
 - a. Traffic stop data should not be used as a 'pass-fail' test. Stop data alone cannot confirm whether or not a police department has a problem with racial/ethnic profiling or bias.
 - b. Although we do find evidence of disparities, often with qualifiers and limitations, the source of racial/ethnic bias cannot be directly measured with the official data available.
 - c. Data should be viewed as a diagnostic tool to help pinpoint the decisions, geographic areas, and procedures that should get priority attention when the agency, in concert with concerned constituents, identifies its next steps for addressing the problem or perception of racial profiling.

The proposed 2009 work plan for LECC entails the following:

- 1) Conduct ten regional trainings in 2009.
- 2) Expand training offerings in 2009 to include a Metro-area regional training, more in-service training, and an FTO-related training.
- 3) Implement an adult survey of Oregon drivers to continue our monitoring of public perceptions.
- 4) Examine the 2007 adult survey of Oregon drivers to identify other factors that inform public attitudes regarding police bias.
- 5) Explore how other factors collected by the Corvallis PD can advance our knowledge about search decision making.
- 6) Explore the legal risks involved in traffic stop data collection, and lack of collection, and provide that information to agencies.
- 7) Continue working with the Willamette Valley Communications Center and other communications centers to explore options for implementing additional traffic stop data collection systems.
- 8) The LECC will continue to monitor the impact of SB 1080 on communities of color, and particularly on immigrants within those communities.

- 9) Develop guidance and criteria for agencies and communities so they can objectively assess the success of their data collection efforts and partnership.
- 10) Continue to utilize well respected law enforcement advocates of data collection, particularly those who have first hand experience in implementing such systems, to problem-solve obstacles and ease the fears of agencies not collecting data.
- 11) Work to increase state recognition and appreciation for the agencies that are participating in data collection.

Appendix A: ORS 131.905 et seq.

ORS 131.905 Legislative findings.

The Legislative Assembly finds and declares that:

- 1) Surveys of the trust and confidence placed by Oregonians in state and local law enforcement indicate that there are Oregonians who believe that some law enforcement officers have engaged in practices that inequitably and unlawfully discriminate against individuals solely on the basis of their race, color or national origin.
- 2) 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.
- 3) Representatives of community interest groups and state and local law enforcement agencies agree that collecting certain demographic data about contacts between individuals and state or local law enforcement officers will provide a statistical foundation to ensure that future contacts are free from inequitable and unlawful discrimination based on race, color or national origin.
- 4) Demographic data collection can establish a factual and quantifiable foundation for measuring progress in eliminating discrimination based on race, color or national origin during law enforcement stops and other contacts with individuals, but data collection alone does not provide a sufficient basis for corrective action. Proper analysis of the demographic data and enactment of meaningful reforms in response to the results of that analysis require careful consideration of all relevant factors including the context of the community in which the data has been collected.
- 5) It is the goal of this state that all law enforcement agencies perform their missions without inappropriate use of race, color or national origin as the basis for law enforcement actions. This goal may be achieved by providing assistance to state and local law enforcement agencies and the communities that they serve.
- 6) This state shall foster, encourage and support the collection and analysis of demographic data by state and local law enforcement agencies. [2001 c.687 §5]

ORS 131.906 Law Enforcement Contacts Policy and Data Review Committee; duties; report.

- (1) There is created the Law Enforcement Contacts Policy and Data Review Committee consisting of 11 members appointed by the Governor.
- (2) The purpose of the committee is to receive and analyze demographic data to ensure that law enforcement agencies perform their missions without inequitable or unlawful discrimination based on race, color or national origin.
- (3) To achieve its purpose, the committee shall collect and analyze demographic data to:
 - (a) Provide information to assist communities and state and local law enforcement agencies in evaluating the policies, training and procedures of law enforcement agencies regarding the treatment of individuals during stops and other contacts with law enforcement;

- (b) Inform state and local law enforcement agencies and communities about law enforcement practices; and
 - (c) Provide opportunities for communities and state and local law enforcement agencies to work together to increase public trust and confidence in law enforcement and to enhance the capacity of communities and law enforcement agencies to provide more effective public safety services.
- (4) The committee shall:
- (a) Solicit demographic data concerning law enforcement stops and other contacts between state and local law enforcement agencies and individuals;
 - (b) Publicize programs, procedures and policies from communities that have made progress toward eliminating discrimination based on race, color or national origin during law enforcement stops and other contacts with individuals;
 - (c) Provide technical assistance, including refinement of the minimum data elements as necessary for effective analysis, to state and local law enforcement agencies that desire to begin collecting demographic data;
 - (d) Provide technical assistance to communities and state and local law enforcement agencies that desire to engage in local efforts to involve individuals in the establishment and implementation of programs, procedures and policies that will advance the goal of ORS 131.905;
 - (e) Obtain resources for independent analysis and interpretation of demographic data collected by state or local law enforcement agencies;
 - (f) Accept and analyze demographic data collected by a state or local law enforcement agency if requested by a state or local law enforcement agency and if resources are available; and
 - (g) Report to the public the results of analyses of demographic data.
- (5) In carrying out its purpose, the committee may request and receive data files from participating law enforcement agencies and may analyze data for each reported contact. These data files should contain as many of the following items of information as are collected by the participating law enforcement agency:
- (a) The reason for the law enforcement stop or other contact;
 - (b) The law enforcement officer's perception of the race, color or national origin of the individual involved in the contact;
 - (c) The individual's gender;
 - (d) The individual's age;
 - (e) Whether a search was conducted in connection with the contact, and if so, what resulted from the search;
 - (f) The disposition of the law enforcement action, if any, resulting from the contact; and
 - (g) Additional data as recommended by the committee that state and local law enforcement agencies should collect and submit.
- (6) Data received by the committee for analysis under this section may not identify a particular law enforcement officer or a particular individual whose demographic data is collected by a state or local law enforcement agency.
- (7) Members of the committee shall appoint a chairperson from the members of the committee. Members of the committee are not entitled to compensation or expenses and shall serve on the committee on a volunteer basis.
- (8) Portland State University shall provide administrative support staff necessary to the performance of the functions of the committee.
- (9) All agencies of state government, as defined in ORS 174.111, are requested to assist the committee in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to

furnish such information and advice as the members of the committee consider necessary to perform their duties.

- (10)The committee shall make findings and issue recommendations for action to achieve the purpose of this section. The committee shall submit a report containing its findings and recommendations to the appropriate interim legislative committees annually on or before December 1.
- (11)After completion of the analysis of the data from at least two state or local law enforcement agencies, the committee may recommend the collection of additional data elements.
- (12)This section does not prohibit a state or local law enforcement agency from collecting data in addition to the information listed in subsection (5) of this section. [2001 c.687 §6; 2007 c.190 §2]

ORS 131.908 Funding contributions.

Portland State University may accept contributions of funds from the United States, its agencies, or from any other source, public or private, and agree to conditions thereon not inconsistent with the purposes of the Law Enforcement Contacts Policy and Data Review Committee. [2001 c.687 §8; 2007 c.190 §3]

ORS 131.909 Moneys received.

All moneys received by Portland State University under ORS 131.908 shall be paid into the State Treasury and deposited into the General Fund to the credit of Portland State University. Such moneys are appropriated continuously to Portland State University for the purposes of ORS 131.906. [2001 c.687 §9; 2007 c.190 §4]

ORS 131.910 Measuring progress.

The Law Enforcement Contacts Policy and Data Review Committee shall assist the Oregon Progress Board in the creation and adoption of goals as provided in ORS 284.622 to measure progress toward the purpose of the committee under ORS 131.906. [2001 c.687 §10]

Appendix B: TECHNICAL ASSISTANCE LETTER CIRCULATED BY OACP AND OSSA

Dear Law Enforcement Professional,

The Oregon Law Enforcement Contacts Policy and Data Review Committee (LECC) would like to offer technical assistance to your agency regarding the collection, analysis, and reporting of traffic stop data.

Many Oregon law enforcement agencies are currently collecting data about traffic stops they make, the demographics of persons stopped, the type of searches conducted, and the outcomes of traffic stops. Further, many agencies have advised the LECC that they would like assistance in collecting and analyzing stop data and we offer that assistance.

How is Stop Data Collected?

There are typically 2 options for collecting stop data:

Option A (preferred): *Direct Computerized Data Input* – Some agencies, like the Oregon State Police, have programmed their CAD system to record stop information through dispatch services. Other agencies, like the Hillsboro Police Department, have onboard computers and hand-held computers that officers use to enter traffic stop related information which is transferred to a database system.

Option B: *Scantron Forms* – For many years the Corvallis Police Department utilized a short Scantron form (i.e. bubble forms) that officers would fill out after a traffic stop. The forms later would be fed through a machine that would automatically tabulate the data.

How can the LECC Help Your Agency?

LECC can:

1. *Provide equipment and consulting services* to either reprogram your CAD system or assist with installation of onboard computers and hand-held computers in patrol cars to collect stop data.
2. Provide scantron forms and a machine reader.
3. *Create a database* for your agency to store traffic stop data collected.
4. *Train agency staff* on how to utilize the database, analyze data, and develop reports. We've developed an automated analysis and reporting system.
5. *Assist with the analysis of data and reporting.*
6. *Help to improve efficiency; reduce staff burdens and resources* needed to collect and analyze stop data.

Why Collect Traffic Stop Data? Because collecting data:

1. Will increase public trust of your agency. Better relationships with the public will lead to more crimes solved and less crime overall.
2. Fosters a positive dialogue among communities of interest to public safety agencies.
3. Assists with law enforcement accreditation.
4. Is consistent with best practices for community policing and intelligence-led policing.

5. Provides important information to better understand agency operations and strategies.
6. Provides additional insight for public safety administrators and operations commanders in the areas of patrol allocation and the effectiveness of police stops.
7. Adds useful information for in-service and field training sessions.

How else will the LECC help your Agency?

The LECC is interested in promoting the collection of traffic stop data from as many agencies that are interested. It is up to each agency to determine whether they would like to share their data with the LECC and take advantage of the LECC's expertise in analyzing the data. The LECC only reports on data that was approved by an agency and we would incorporate any agency feedback and interpretations into any analysis we perform. We would never reveal the identity of a specific officer or seek such information.

Who is the LECC?

The Oregon Law Enforcement Contacts Policy and Data Review Committee (LECC) was created by the Oregon Legislature in 2001, and made permanent in 2007, and is charged with providing technical assistance to state and local law enforcement agencies that desire to collect and analyze demographic data on traffic stops. The committee is comprised of members from municipal police agencies, County Sheriff's agencies, OSP, DPSST, ODOC, government, citizens, and academia. To learn more about the LECC please visit our website: <http://www.cjpri.ccj.pdx.edu/LECC/index.php>

If you are interested in learning more about the LECC's technical assistance opportunities please contact LECC staff member Brian Renauer from Portland State University (503) 725-8090, renauer@pdx.edu.

Sincerely,

A handwritten signature in dark ink, reading "Edwin J. Peterson" followed by a stylized flourish.

Edwin J. Peterson, Chair
Law Enforcement Contacts Policy and Data Review Committee