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expungement provision that makes it easier to expunge past pot felonies. When an offender applies for expungement, the court will consider the offense under current law, meaning that if the crime was a Class A felony before Measure 91 but after measure 91 it was a Class B felony, then it's now expungeable after three years, although most marijuana convictions were already eligible.

Eligible crimes are not automatically removed from offenders' records. To expunge eligible convictions, an offender must petition the court in a nine-step process that includes fingerprinting, paying state police \$80, and a court filing fee. In Multnomah County, the fee is \$252.

**Good Samaritan**

A new good-Samaritan law goes into effect with protections for people who seek help in a drug overdose emergency. The person who sought medical help and the person overdosing are immune from certain charges and arrest if evidence of a crime is obtained because the person contacted emergency medical services or a law enforcement agency.

**What you can't be arrested for:** possession or use of a controlled substance, possession of drug paraphernalia with intent to deliver, or frequenting a place where controlled substances are used. Nor can you be arrested on an outstanding warrant or parole or probation violation for those offenses.

**What you can be arrested for:** federal and out-of-state warrants, local warrants for crimes that are not listed above, new crimes other than the drug-related crimes listed above.

"It appears the immunity only applies to offenses listed in the bill, so the offenses regarding delivering drugs or manufacturing drugs are not immune," said Officer Jeremy Shaw, a Beaverton Police Department spokesperson.

Older good-Samaritan laws on the books in Oregon also protect minors from minor-in-possession charges when seeking help with alcohol poisoning and protect people with CPR training from lawsuits when they administer CPR with good faith in a medical emergency, unless they are grossly negligent.

**Police profiling**

*Profiling, as defined by House Bill 2002, "means that a law enforcement agency or a law enforcement officer targets an individual for suspicion of violating a provision of law based solely on the real or perceived factor of the individual's age, race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, homelessness or disability, unless the agency or officer is acting on a suspect description or information related to an identified or suspected violation of a*

*provision of law."*

While profiling was already banned in Portland, it's now banned statewide. As of Jan. 1, all law enforcement agencies are required to send every profiling complaint they receive to the Criminal Justice Policy Research Institute at Portland State University. There, the complaints will be stored for 25 years and analyzed for patterns by the Law Enforcement Contacts Policy and Data Review Committee, or LECC. This committee will create and implement law enforcement training programs and make policy recommendations based on its findings.

As of Jan. 1, all law enforcement agencies are required to have multiple avenues for accepting complaints, including via phone and mail, electronically, through a third party, and anonymously. They are also required to have procedures in place for investigating each complaint and forwarding it to the LECC.

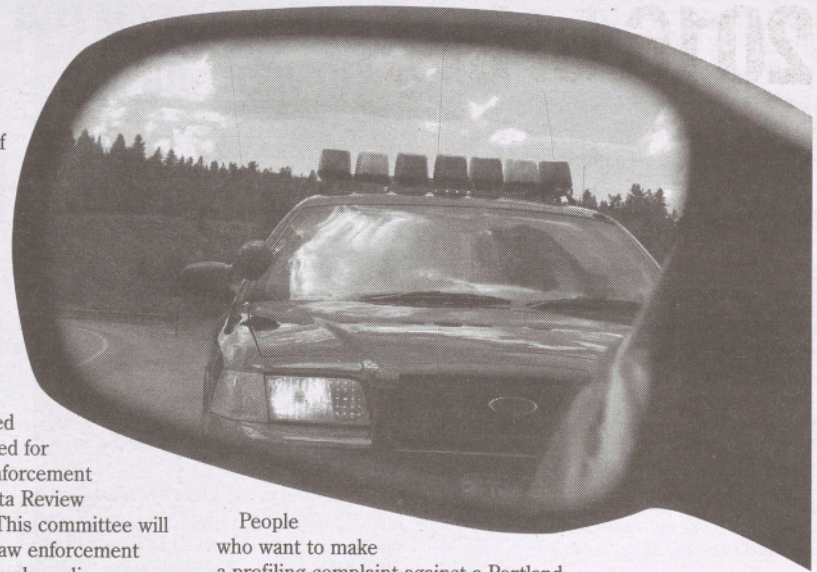
But in the case of anonymous complaints, investigators will have to rely on the quality of the information provided, said Lt. Steven Alexander, spokesperson for the Multnomah County Sheriff's Office.

"For example, if we received an anonymous letter without contact information, we will be only able to rely upon the information provided and have no means to obtain further information regarding the complaint if needed," he said in an email. "We can keep complainant's information anonymous through the process, even when a follow-up clarification interview is needed."

LECC has already begun profiling-related training of law enforcement officers through its partnership with the Oregon Department of Public Safety Standards and Training and the Simon Wiesenthal Center.

According to its 2015 annual report, LECC's goals for this year include creating a plan for educating the public, developing "Profiling 101" training for both civilians and law enforcement agencies, and analyzing traffic stop and search data voluntarily submitted by law enforcement.

While profiling is banned, individual complaints of profiling are unlikely to lead to any disciplinary action against the offending officer because profiling is difficult to prove. The new system put in place to combat systematic profiling relies heavily on patterns of complaints, which is why it's important that people who think they've been targeted speak up, regardless of whether it will lead to immediate disciplinary action (See "Oregon's new profiling ban," July 10, 2015, at news.streetroots.org).



People who want to make a profiling complaint against a Portland Police Bureau officer may file it with any member of PPB; in writing using a Citizen Complaint Form found at the Portland Office of the City Auditor's website, portlandonline.com/auditor/index.cfm?c=42860; or in writing, over the phone, electronically or in person with the Independent Police Review. Call the IPR at 503-823-0146 for more information.

It's also possible to submit a complaint against any law enforcement agency in the state directly to the LECC.

"Since we are not directly a part of law enforcement, this may help some feel more comfortable initiating a complaint in the first place," said Brian Renauer, the institute's director. "We also have resources to help with translation too."

LECC recommends using its official complaint form online, which is available in several languages, including Spanish. Once received, the LECC will attempt a follow-up phone call within five business days. Let them know at that time if you wish to remain anonymous or you don't want your complaint forwarded to local law enforcement. They will keep your name protected in locked cabinets and password-protected databases.

You may submit your complaint to LECC:

**Online:** pdx.edu/cjpri/lecc

**By phone:** 503-725-522; staff is available to answer this line from 10 a.m. to 4 p.m. Monday through Friday, but callers can leave a voicemail at any time.

**By mail:**

Law Enforcement Contacts Policy and Data Review Committee

Attn: CCJ-JUST  
P.O. Box 751  
Portland, OR 97204

emily@streetroots.org

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