

## **305.00 – Bias-Based Policing/Profiling Prohibition**

### **Refer:**

- ORS §§ 131.915-925, prohibiting profiling
- ORS § 807.750, personal information
- ORS § 192.502, public records

### **Definitions:**

- **Bias-Based Policing:** The differential treatment of any person by Multnomah County Sheriff's Office members motivated solely by any protected classification under local, state, and federal laws.
- **Profiling:** As defined in ORS § 131.915 (3), profiling is a form of bias-based policing, wherein a Multnomah County Sheriff's Office member "targets an individual on 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 member is acting on a suspect description or information related to an identified or suspected violation of a provision of law."

### **Policy:**

1. The Multnomah County Sheriff's Office is committed to delivering services in a professional, fair, and respectful manner. The goal of this Office's public safety mission is to earn legitimacy through public trust, which is accomplished via thoughtful field-to-facility practices that further community safety.
2. The Multnomah County Sheriff's Office is further committed to partnering with our criminal justice system stakeholders to eliminate policies or practices that treat people unfairly.
3. It is the responsibility of the Multnomah County Sheriff's Office to administer a training program that provides for the professional development and continued growth of its members. Curriculum includes training that reflects the Multnomah County Sheriff's Office commitment to equity in policy and practice.
4. Multnomah County Sheriff's Office members are prohibited from taking or not taking any official action motivated solely by bias-based policing or profiling.
5. Characteristics of a protected classification may be taken into account when a member is acting on a suspect description or information related to an identified or suspected violation of a provision of law. Members must be able to articulate specific facts, circumstances or conclusions that support reasonable suspicion or probable cause for any official action.
6. Any member, supervisor or manager who is aware of bias-based policing or profiling and condones it by action or inaction will be subject to corrective action.
7. The Professional Standards Unit shall maintain and follow procedures regarding the receipt, investigation, and analysis of bias or profiling complaints.

### **Procedure:**

1. **Complaint Intake:**
  - 1.1. A complaint alleging bias or profiling may be made in person with any Multnomah County Sheriff's Office member or at any Multnomah County Sheriff's Office facility. The member will forward the information, through channels, to the Professional Standards Unit.
  - 1.2. A complaint alleging bias-based policing or profiling may also be made in writing via a Multnomah County Sheriff's Office Complaint Form. Forms are available on the Multnomah County Sheriff's Office website

[https://www.mcso.us/site/pdf/iau\\_complaint\\_form.pdf](https://www.mcso.us/site/pdf/iau_complaint_form.pdf)). The Multnomah County Sheriff's Office Complaint Form, may be delivered in the following ways:

- 1.2.1. By hand, to any Multnomah County Sheriff's Office member, at any Multnomah County Sheriff's Office facility, including but not limited to, the Professional Standards Unit, headquartered at 501 SE Hawthorne Blvd., Ste. 350, Portland, Oregon, 97214.
  - 1.2.2. By postal mail, to the Professional Standards Unit, headquartered at 501 SE Hawthorne Blvd., Ste. 350, Portland, Oregon, 97214.
  - 1.2.3. By faxing the Professional Standards Unit (503-988-4324).
  - 1.2.4. By electronic mail via [iau@mcso.us](mailto:iau@mcso.us)
- 1.3. A complaint alleging bias-based policing or profiling may also be made by telephoning the Professional Standards Unit (503-988-4557).
2. Complaint Processing:
- 2.1. The Multnomah County Sheriff's Office, Professional Standards Unit, is responsible for investigating all complaints alleging bias-based policing or profiling, whether from a known, anonymous, or third-party complainant or from the Law Enforcement Contacts Policy and Data Review Committee.
  - 2.2. Complaints alleging bias-based policing or profiling that are received by the Sheriff's Office within one hundred eighty days (180) after the alleged commission of bias-based policing or profiling will be investigated.
  - 2.3. The Professional Standards Unit will respond to every complaint alleging profiling within a reasonable time after the conclusion of the investigation. The response will contain a statement of the final disposition of the complaint.
3. Communication with the Law Enforcement Contacts Policy and Data Review Committee:
- 3.1. The Professional Standards Unit Manager is the designated point of contact with the Law Enforcement Contacts Policy and Data Review Committee.
  - 3.2. The Professional Standards Unit Manager, or designee, will submit copies of all Office-received bias-based policing or profiling complaints to the Law Enforcement Contacts Policy and Data Review Committee and will intake any Committee-received bias-based policing or profiling complaints from the Law Enforcement Contacts Policy and Data Review Committee.
  - 3.3. The Professional Standards Unit Manager, or designee, will notify the Law Enforcement Contacts Policy and Data Review Committee of any bias-based policing or profiling complaint dispositions via a Profiling Compliant Report Form.
4. Public Record Protections:
- 4.1. The personal information as defined in ORS § 807.750, of complainants and of Sheriff's Office members who are the subject of bias-based policing or profiling complaints are exempt from public disclosure pursuant to ORS § 131.925(3).

**History:**

- Originating Policy/Procedure: 10/18/17
- Next Review Date: 10/18/19
- Review By: Inspections Unit
- Reviewed 1/15/2020
  - No edits, deletions or additions made to originating policy and procedure.
- Next Review Date: 1/15/2022
- Review By: Inspection Unit