

Oregon STOP Program

Officer Reference Guide

July 2023



The **Statistical Transparency of Policing (STOP) Program** was created by the Oregon Legislature in 2017 to ensure fair and impartial policing practices statewide. The STOP Program requires every law enforcement agency to annually submit data on officer-initiated traffic and pedestrian stops to the Oregon Criminal Justice Commission (CJC).

This guide is designed to provide police officers with basic information to help ensure compliance with the reporting requirements, as well as answer frequently asked questions about reporting and the STOP program.



For more information and training, please go to the STOP Program webpage at <https://oregon.gov/cjc/stop> or the DPSST-CPE Prevention of Bias-Based Policing webpage at <https://www.oregon.gov/dpsst/CPE/Pages/equitable-policing.aspx>

TYPES OF REPORTABLE STOPS

TYPE #1: You are required to report all officer-initiated traffic stops.

STOP Program Definition:

The detention of a person for the purpose of investigating a suspected violation of the Oregon Vehicle Code when the detention is NOT associated with a call for service.

KEY POINTS

- For the purposes of the STOP program, a "call for service" is defined as: information obtained by an officer that results in a detention by the officer but was not initiated by the officer. It also includes activity based on a warrant, persons wanted for questioning, or reported suspect/vehicle descriptions.
- Detentions for routine searches performed at the point of entry to or exit from a controlled area are NOT reported.

Examples:

A self-initiated stop based on an observed violation

- *I stopped a car for speeding in a school zone.*
- *I stopped a truck for an equipment violation.*



Report it;
not a call for service

A self-initiated stop based on reported information

- *I stopped an SUV matching the description of a vehicle reported stolen.*
- *I stopped a car associated with an Amber Alert.*
- *I stopped a car solely for knowing the driver was DWS.*
- *I stopped a care solely for knowing the driver had a warrant.*
- *I stopped a car based on information from a license plate reader.*



Do NOT report it;
considered a
call for service

Frequently Asked Questions:

- *Does any information about passengers need to be reported to the STOP Program?*
No; only driver information should be reported on a traffic stop.
- *What if I stop a bicyclist based on an observed violation?*
Report it, because the purpose of the stop is a suspected violation of the Oregon Vehicle Code.
- *What if I stop a watercraft based on an observed violation?*
Do not report it, because the vehicle code does not apply.

TYPES OF REPORTABLE STOPS

TYPE #2: You are required to report all officer-initiated pedestrian stops.

STOP Program Definition:

The detention of a pedestrian for the purpose of an investigation when the detention is not associated with a call for service.

Examples:

A self-initiated mere conversation or field interview

I asked a woman walking on the sidewalk for information about a series of thefts in the area.

I asked a man standing in a parking lot for information about a person he had recent contact with.



Do NOT report it;
not detained,
mere conversation

A self-initiated detention due to unlawful activity, or a reasonable suspicion of such

I detained a man I observed damaging public property.

I observed a woman on private property, developed a reasonable suspicion that she may be trespassing, and detained her for further investigation.



Report it;
detained,
no call for service

A self-initiated detention based on reported information

I detained a woman I recognized as having a warrant.

I detained a man matching the reported description of a burglary suspect.



Do NOT report it;
detained, but associated
with a call for service

Frequently Asked Questions:

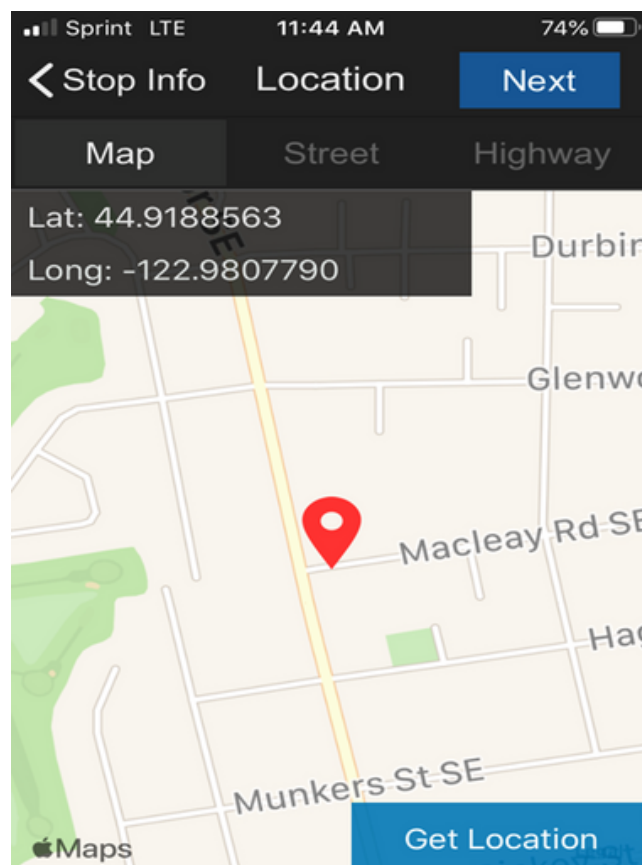
- *If a group of pedestrians is stopped, how should it be reported?*
If any of them are detained based on observed unlawful activity, or a reasonable suspicion of a crime, each detained individual should be reported separately.

TIPS FOR REPORTING REQUIRED STOP INFORMATION

TIP #1: Accurate location data will help your agency understand and address any potential disparities

When analyzing potential disparities, location data can often help evaluate the relationships between stop rates or post-stop outcomes with calls for service, accident rates, crime rates, and/or traffic patterns.

- When possible, X-Y coordinates are the most accurate and preferred method for reporting the location of the stop. If you are using the STOP web form or mobile application this can be accomplished easily by clicking "Get Location" (example below). **Do not use this option if you have moved a significant distance from the stop location to enter the information for the STOP program.**
- If reporting the location of a stop using a street address, roadway designation, etc. please ensure your entry is accurate and complete.



TIPS FOR REPORTING REQUIRED STOP INFORMATION

TIP #2: The race, gender, and age of the person stopped should be reported based on your earliest observation of the person.

Frequently Asked Questions:

- *What if I report a person's race, gender, or age inaccurately?*
There are no "wrong" answers in reporting your perception of each characteristic based on your observations and experience.

DO report your own perception of a person's race, gender and age.



DO NOT ask a person to identify their race, gender or age.



- *What if I didn't observe the person's race, gender, or age until after I stopped them?*
In some cases it may not be possible to observe a person's race, gender or age at the time you initiated the stop. In these instances, be sure to report your observations from the earliest moment you were able to perceive these characteristics, such as during your approach or upon initial contact.

If you are using the STOP web form or mobile application there is an option to indicate whether you were able to perceive a person's characteristics before your initial contact with them. This information helps researchers identify stops where bias is not likely a factor.

DO report your *initial* perception of a person's characteristics from the earliest moment it was possible to do so.



DO NOT report any *changes* in perception that may occur over the course of the stop.



Note:

It is acceptable to report a person's actual gender or age if you are using a reporting system that automatically populates this data based on a driver's license/identification.

TIPS FOR REPORTING REQUIRED STOP INFORMATION

TIP #3: The reported reason for the stop should be the observed violation or crime that caused you to make the stop.

Regardless of whether you reasonably suspect other unlawful activity, the reported reason for the stop should be the actual violation or crime you initially observed.

Example #1:

You observe a vehicle swerving in and out of its traffic lane for a number of miles. You suspect the driver may be impaired and initiate a traffic stop.

DO report the failure to drive within a lane as the reason for the stop.



DO NOT report your suspicion of driving under the influence as the reason for the stop.



Example #2:

This time you observe a vehicle swerving within its traffic lane and traveling significantly under the speed limit for a number of miles. No actual violation is observed, but you suspect the driver may be impaired and initiate a traffic stop based on reasonable suspicion alone.

DO report your suspicion of driving under the influence as the reason for the stop.



Note:

If you are using the STOP web form or mobile application and are unable to find a specific statute or category, please choose the closest option.

TIPS FOR REPORTING REQUIRED STOP INFORMATION

TIP #4: The reported disposition of a stop should be the most serious outcome at the conclusion of the stop.

There may be multiple violations or crimes, and associated dispositions, identified at the conclusion of a stop. Only report the most serious disposition, regardless if it is associated with the initial reason you made the stop.

Example:

You observe a vehicle speeding and initiate a traffic stop. Upon contact you determine the driver has a warrant. You provide the driver with a warning for the moving violation, but take them into custody for the warrant.

DO report the physical arrest for the warrant as the disposition of the stop.



DO NOT report the warning for speeding as the disposition of the stop.



TIP #5: Additional information about the disposition of a stop will help your agency understand and address any potential disparities.

When analyzing potential disparities, the reason for the most serious disposition can often help evaluate factors impacting arrest or citation rates.

Note:

If you are using the STOP web form or mobile application and are unable to find a specific statute or category, please choose the closest option.

CASE STUDY

An initial analysis of data from the Oregon State Police in 2019 identified a disparity in citation rates. However, further evaluation of the **reasons** for the citations determined that agency policy accounted for a portion of the disparity.

In this specific case, the additional data demonstrated that disparities cannot and should not always be attributed to bias on the part of officers, as other factors can lead to disparate outcomes.

TIPS FOR REPORTING REQUIRED STOP INFORMATION

TIP #6: Reporting whether a search was conducted only applies to stops already determined to be reportable under the STOP Program (i.e. a detention not associated with a call for service).

Note:

Unless listed below, only discretionary searches based on consent or probable cause should be reported under the STOP Program.

Searches specifically determined NOT to be reportable in the STOP Program:

- Field Sobriety Tests
- Weapons pat-downs
- Searches incident to arrest
- Agency policy-directed inventory searches of a vehicle being towed



FACTS ABOUT DATA ANALYSIS

At the direction of the legislature, researchers at CJC use multiple, evidence-based methods of analysis to identify if any agencies have statistically significant indications of racial disparities in their stop rates and/or post-stop outcomes. A brief summary of the types of analyses conducted can be found on the Oregon Knowledge Bank at <https://okb.oregon.gov/stops-data>.

Agencies found to have a statistically significant disparity in two of the three analytical tests conducted by CJC will be referred to DPSST's Center for Policing Excellence (CPE) for technical assistance.

An annual report on the results of CJC's analyses will be published every December.

Frequently Asked Question:

- *Can I be singled out by the State as a result of reporting stop data?*

No; by law the data submitted to CJC does NOT contain information that reveals the identity of any officer, or any stopped individual.

The STOP Program does **NOT** assume that police officers engage in bias-based profiling.

The STOP Program **DOES** examine whether statistically significant disparities exist in an agency's stop rates and/or post-stop outcomes.

Disparities identified by the STOP Program **DO** provide evidence of factors that warrant further analysis and discussion.

Disparities identified by the STOP Program do **NOT** by themselves provide conclusive evidence of bias-based profiling.