

## SB 577- Oregon's Bias Crime and Incident Law

- This law renames the crime of intimidation to bias crime.
- It adds gender identity to list of characteristics of victim, the perception of which constitutes the defendant's motive to commit the crime (based on the victim's race, color, religion, national origin, gender identity, disability, sexual orientation).
- The law removes the requirement that bias crime in the first degree be committed by two or more persons.
- It modifies bias crime statistics reported to Department of State Police by law enforcement agencies to include gender identity.
- SB577 directs the Oregon Department of Justice (ODOJ) to report data collected from law enforcement agencies to Oregon Criminal Justice Commission (CJC) to include gender identity as characteristic of victim constituting aggravating factor when characteristic motivated commission of crime.
- SB577 also directs district attorneys to collect data concerning bias-related crimes and report them to the CJC. Multnomah, Lane, and Benton counties are the first three counties to begin collecting this data with a first report due June 2021. (tracking charges, pleas, convictions, sentences, and recidivism).
- The law requires ODOJ to establish a hate crimes telephone hotline. On January 2, 2020 ODOJ established the Bias Crime and Bias Incident Hotline. 1-844-924-2427.
- Law enforcement agencies that respond to a bias incident (an incident that is not a crime) must refer the victim to Qualifying Local Victims' Services or to the ODOJ hotline.
- The law establishes a Bias Response Coordinator. ODOJ hired a talented, trauma-informed, victim's advocate to fill this role.
- CJC will analyze all bias crime and bias incident data received from Department of State Police, district attorneys and ODOJ, and to report analysis annually to the Governor, the Legislative Assembly, the Oregon Attorney General, Oregon District Attorneys Association, Department of State Police and Department of Public Safety Standards and Training. ODOJ will publish these findings on its website and have public meetings to discuss the results.