

Office of Developmental Disabilities Services

Tool for Case Managers Regarding Complaints Against Law Enforcement/Bias Crimes and Incident Reporting

We know that Oregonians with intellectual and developmental disabilities are participating in protests, like people without disabilities. ODDS has received feedback from case management entities and organizations such as Disability Rights Oregon that people would like information on how to support a person with I/DD to file a complaint against law enforcement or felt discriminated against by law enforcement officers due to their race, ethnicity or disability. ODDS is issuing this information to assist case management entities (Services Coordinators and Personal Agents) to support people in services.

How to file a complaint against law enforcement agencies:

- When filing a complaint against law enforcement agencies – one place to start is with the Department of Public Safety Standards and Training (DPSST). DPSST's jurisdiction is limited to the standards required for certification or licensure established by the Board on Public Safety Standards and Training. The benefit of having support from DPSST allows another party to help in ensuring your concerns are directed to the correct entity that employs the law enforcement agency.

DPSST **can** do the following:

- Review the complaint.
- Forward the complaint and any supporting documentation to the agency that employs the public safety officer.
- File and maintain the complaint and any supporting documentation as a public record.
- Initiate a professional standards review upon report of a criminal conviction or separation from employment. DPSST will not initiate a professional standards review unless the officer pleads guilty to or is convicted of a crime OR the officer's employment as a public safety officer is terminated.

DPSST **cannot** do the following:

- Investigate crimes

- Criminally charge individuals
- Dictate public safety agency operations, including how and when to make arrests.
- Initiate personnel investigations, that is the responsibility of the employing public safety agency
- Remove an elected official from office.

You can send your complaint to: DPSST.Complaints@state.or.us with or without completing a form. DPSST may request that you complete the form to indicate privacy rights of those filing the complaint.

Find more information at:

<https://www.oregon.gov/dpsst/CJ/Pages/Complaints.aspx>

Information about the new/updated Bias and Crime laws and how to file a Bias Incident report

- What is a Bias Crime or Bias Incident?
 - Bias Crimes and incident examples are:
 - Name calling; using a racial, ethnic, or other slur to identify someone; or using degrading language.
 - Creating racist or derogatory graffiti or images/drawings.
 - Imitating someone with a disability, or imitating someone's cultural norm or practice.
 - Assaulting, injuring, or even touching someone in an offensive manner because of their perceived protected class.
 - Threatening to physically harm a person, their family, or their property based on their perceived protected class.
 - Protected classes include:
 - Race, color, religion, gender identity, sexual orientation, disability or national origin.
- The Oregon Department of Justice (DOJ) has set up informational pages to help explain Bias-crimes and how/where to file Bias incident reports. How information is used from those who choose to file Bias Incident reports is also listed on their webpage. A hotline and email address has also been created to help give options for filing a Bias Incident report.

<https://www.doj.state.or.us/oregon-department-of-justice/bias-crimes/about-the-law/>