

**74th OREGON LEGISLATIVE ASSEMBLY – 2007 Regular Session
BUDGET REPORT AND MEASURE SUMMARY**

MEASURE: SB 111-B

JOINT COMMITTEE ON WAYS AND MEANS

**Carrier – House: Rep. Shields
Carrier – Senate: Sen. Westlund**

Action: Do Pass the A-Engrossed Measure as Amended and Be Printed B-Engrossed

Vote: 14 – 6 – 2

House – Yeas: D. Edwards, Galizio, Nathanson, Nolan, Shields

– Nays: Garrard, Hanna, Jenson, Morgan

– Exc:

Senate – Yeas: Bates, Brown, Courtney, Devlin, Johnson, Morse, Schrader, Verger, Westlund

– Nays: Nelson, Whitsett

– Exc: Gordly, Winters

Prepared By: Kelly Freels, Department of Administrative Services

Reviewed By: Doug Wilson, Legislative Fiscal Office

Meeting Date: 6/22/07

Agency

Department of Justice

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Biennium

2007-09

Senators: Bates, Carter, Devlin, Gordly, Johnson, Morse, Nelson,
Schrader, Verger, Westlund, Whitsett, Winters

Senator Kurt Schrader, Co-Chair

Representatives: D. Edwards, Galizio, Garrard, Hanna, Jenson,
Morgan, Nathanson, Nolan, Shields

Representative Mary Nolan, Co-Chair

Representative Chip Shields, Public Safety Subcommittee Chair

Budget Summary*

	2005-07		2007-09		Percentage Committee Change from Governor's Budget
	Legislatively Approved Budget (1)	Governor's Budget	Committee Recommendation	Difference from Governor's Budget	
General Fund	\$ 0	\$ 0	\$ 221,361	\$ +221,361	+100.0%

Position Summary

Authorized Positions	0	0	1	+1
Full-time Equivalent (FTE) Positions	0.00	0.00	0.50	+0.50

(1) Includes adjustments through the December 2006 meeting of the Emergency Board

* Excludes Capital Construction expenditures

Summary of Revenue Changes

General Fund is appropriated to the Department of Justice for grants to local law enforcement agencies.

Summary of Subcommittee Action

Senate Bill 111 requires that a “planning authority” in each of Oregon’s 36 counties prepare a plan outlining the use of deadly force by police officers in the community. Membership on the planning authorities will include: district attorney, sheriff, non-management police officer, police chief, non-law enforcement member of the public, and a Oregon State Police representative. Senate Bill 111 provides direction on elements that should be included in the plan.

The plan approved by the planning authorities must be submitted to the governing bodies of the relevant law enforcement agencies within each county for adoption. Two-thirds of the relevant governing bodies must approve the plan before it becomes officially adopted. Adopted plans go to the Attorney General for final approval. Senate Bill 111 provides a mechanism for private citizens to challenge a plan. If insufficient funding is provided to the Department of Justice for the grants, local law enforcement agencies do not have to comply with specific requirements in the bill. The bill also require specific actions that must be taken when a police officer is involved in an specific incident when deadly physical force was a cause in a death of an individual. Other components of the bill include allowing the district attorney to present facts to grand jury regarding use of deadly force; recording of grand jury proceedings into use of deadly force by officer’ and providing a procedure to determine whether all or portion of grand jury transcript should be sealed or made public.

The Subcommittee appropriated \$221,361 General Fund and established one part-time limited duration Program Tech. 2 position (0.50 full-time equivalent) within the Department of Justice. The position will review plans submitted by the 36 counties, coordinate statewide training, and

administer the grant program that will reimburse the law enforcement agencies for expenses incurred in implementing and revising an approved plan. Grants awarded to law enforcement agencies may not exceed 75 percent of the expenses incurred.

Summary of Performance Measure Action

None.