

2009 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 2713 **STATUS:** B Engrossed
SUBJECT: Investigation and disciplinary action provisions for public safety officers.
GOVERNMENT UNIT AFFECTED: Department of Public Safety Standards and Training; Oregon State Police; Department of Administrative Services; Department of Corrections; Oregon Youth Authority; Local Governments
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REVIEWED BY: Doug Wilson and Laurie Byerly
DATE: June 3, 2009

EXPENDITURES:
See Analysis

EFFECTIVE DATE: January 1, 2010

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: The measure directs employers of public safety officers to adopt written procedures to implement safeguards for public safety officers that are subject to interview as a result of being under an investigation for misconduct. The safeguards include, but are not limited to, reasonable amount of time to conduct the interview, allowing the officer to attend to physical needs, allowing the officer representation, no promises of reward for answering questions, and not subject the officer to offensive language. The measure specifies a time frame for completion of the investigation into alleged misconduct of six months from the date of the first interview. The time frame does not apply if the officer involved is unavailable, involves worker compensation fraud, the officer waives the time limit in writing, or if the investigation requires coordination of multiple jurisdictions or multiple officers. Additionally, the measure allows public safety officers the opportunity to request, review, and contest documentation within their personnel record.

Oregon State Police, Department of Administrative Services, Association of Oregon Counties, and the League of Oregon Cities state the fiscal impact of the measure is minimal.

The Department of Public Safety Standards and Training and the Department of Corrections state there is no fiscal impact.