

# House Bill 3249

Sponsored by Representative WHISNANT

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of State Police to coordinate establishment and implementation of Oregon Officer Down Advisory Plan pursuant to which alert must be issued in certain circumstances when law enforcement officer is killed or seriously injured by suspect in course of officer's duty. Directs Department of State Police to adopt rules. Provides immunity from civil liability to local media outlets and representatives and broadcasters participating in plan except for intentional or grossly negligent conduct.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the Oregon Officer Down Advisory Plan; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Department of State Police, in consultation with law enforcement**  
5 **agencies in this state, the Department of Transportation, local media, broadcasters and**  
6 **others, shall establish and implement an Oregon Officer Down Advisory Plan.**

7 **(2) An alert shall be issued under the plan if:**

8 **(a) A federal, state or local law enforcement officer is killed or seriously injured by a**  
9 **suspect in the course of the officer's duty;**

10 **(b) The investigating law enforcement agency determines that a suspect poses a serious**  
11 **risk to the public or other law enforcement personnel;**

12 **(c) A detailed description of the suspect's vehicle, including a complete or partial regis-**  
13 **tration plate number, is available for broadcast to the public; and**

14 **(d) The investigating law enforcement agency having jurisdiction recommends issuing the**  
15 **alert.**

16 **(3) The Department of State Police shall:**

17 **(a) Adopt rules to implement the provisions of this section, including rules that establish:**

18 **(A) Fines that may be imposed on a suspect for whom an alert is issued under this sec-**  
19 **tion and who is convicted of killing or seriously injuring a law enforcement officer in the**  
20 **course of the same conduct or episode for which the alert was issued; and**

21 **(B) Civil penalties for issuing or broadcasting an alert other than as provided in this**  
22 **section or rules adopted pursuant to this section.**

23 **(b) Educate law enforcement agencies in this state, the Department of Transportation,**  
24 **local media and broadcasters and the public about the plan.**

25 **(c) Coordinate the duties of the Department of State Police under this section with the**  
26 **law enforcement authorities of the federal government and other states.**

27 **(4)(a) Local media outlets and representatives and broadcasters participating in the**  
28 **Oregon Officer Down Advisory Plan pursuant to this section are immune from civil liability**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 for any act or omission in the course and scope of that participation.

2 (b) The immunity provided under this subsection:

3 (A) Applies regardless of the method of transmission used.

4 (B) Does not apply to intentional or grossly negligent conduct.

5 SECTION 2. This 2011 Act being necessary for the immediate preservation of the public  
6 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect  
7 on its passage.

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