

Enrolled
House Bill 3251

Sponsored by Representative BARKER (at the request of Oregon Council of Police Associations)

CHAPTER

AN ACT

Relating to confidentiality of public safety officer internal investigation records.

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

SECTION 1. (1) As used in this section:

- (a) "Law enforcement unit" has the meaning given that term in ORS 181.610.
- (b) "Public body" has the meaning given that term in ORS 192.410.
- (c) "Public safety officer" has the meaning given that term in ORS 181.610.
- (2) A public body may not disclose audio or video records of internal investigation interviews of public safety officers.
- (3) Subsection (2) of this section does not prohibit disclosure of the records described in subsection (2) of this section to:
 - (a) A law enforcement unit for purposes of the investigation;
 - (b) An attorney representing a public safety officer who is the subject of the investigation;
 - (c) The Department of Public Safety Standards and Training as required by ORS 181.675;
 - (d) A district attorney, as defined in ORS 131.005;
 - (e) A public safety officer who is the subject of the investigation;
 - (f) An attorney for a defendant in a criminal proceeding related to the investigation, for use in preparation for the criminal proceeding;
 - (g) A labor organization, as defined in ORS 243.650, for use in an action by an employer against a member of the labor organization for the purpose of punishing the member;
 - (h) A public body responsible for civilian oversight or a citizen review body designated by the public body for the purposes of fulfilling the investigative and oversight functions of the body;
 - (i) A federal law enforcement agency for purposes of the investigation; or
 - (j) The Attorney General.
- (4) The disclosure of records under subsection (3) of this section does not make the records subject to further disclosure.

Passed by House April 26, 2011

Repassed by House June 13, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate June 9, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State