

A-Engrossed
House Bill 3251

Ordered by the House April 20
Including House Amendments dated April 20

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

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.

Prohibits disclosure of audio or video records of internal investigation interviews of public safety officers. Provides exceptions.

A BILL FOR AN ACT

1
2 Relating to confidentiality of public safety officer internal investigation records.

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

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

5 (a) **"Law enforcement unit" has the meaning given that term in ORS 181.610.**

6 (b) **"Public body" has the meaning given that term in ORS 192.410.**

7 (c) **"Public safety officer" has the meaning given that term in ORS 181.610.**

8 (2) **A public body may not disclose audio or video records of internal investigation inter-**
9 **views of public safety officers.**

10 (3) **Subsection (2) of this section does not prohibit disclosure of the records described in**
11 **subsection (2) of this section to:**

12 (a) **A law enforcement unit for purposes of the investigation;**

13 (b) **An attorney representing a public safety officer who is the subject of the investi-**
14 **gation;**

15 (c) **The Department of Public Safety Standards and Training as required by ORS 181.675;**

16 (d) **A district attorney, as defined in ORS 131.005;**

17 (e) **A law enforcement officer, as defined in ORS 133.726;**

18 (f) **An attorney for a defendant in a criminal proceeding, as defined in ORS 131.005, when**
19 **the audio or video recording could lead to the discovery of admissible evidence in the crimi-**
20 **nal proceeding;**

21 (g) **A labor organization, as defined in ORS 663.005, for use in an action by an employer**
22 **against a member of the labor organization for the purpose of punishing the member;**

23 (h) **A citizen review body designated by the public body, for purposes of the investigation;**
24 **or**

25 (i) **The Attorney General.**

26 (4) **The disclosure of records under subsection (3) of this section does not make the re-**
27 **ords subject to further disclosure.**

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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.