

**PRELIMINARY STAFF MEASURE SUMMARY****CARRIER:**

Senate Committee on Judiciary

**REVENUE: No revenue impact****FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Jeff Rhoades, Counsel**Meeting Dates:** 3/19, 4/9

**WHAT THE MEASURE DOES:** Allows public safety officer's manager or supervisor to have representative present during noncriminal investigation of officer. Defines "impeachment list" and revises definition of "just cause." Prohibits disclosure of information gained from investigation of officer unless disclosure required under criminal discovery statute. Prohibits use of number of citations issued for purpose of evaluating officer.

**ISSUES DISCUSSED:**

**EFFECT OF COMMITTEE AMENDMENT:** Proposed -1 amendment removed provisions regarding quotas and disclosure of information.

**BACKGROUND:** ORS 236.350 and 236.360 govern the procedures for an investigation into a public safety officer which may lead to disciplinary action. Such investigations are oftentimes coupled with an interview of the officer under investigation during which the officer may elect to have a representative present. No more than two interviewers are allowed to question the officer during each interview. A public safety officer is not required to answer any questions until the officer has been informed of the nature of the investigation and of the facts and circumstances surrounding the investigation. In a compelled interview for noncriminal purposes, a public safety officer who refuses to respond to questions, or to be interviewed, must be informed that such a refusal may lead to disciplinary action.

Senate Bill 743 makes adjustments to the procedures for such interviews. The bill allows a public safety officer's manager or supervisor to have representation for the interview. Employers will be prohibited from disclosure of information gained during the interview unless compelled by the criminal discovery statute under ORS 135.815. Lastly, the bill states that an employer is prohibited from comparing a public safety officer's number of citations issued to the number of citations issued by any other officer who has similar job duties.