



OREGON COMBINED CHAPTERS OF:  
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*SALEM, OR 97308-2024*

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(503) 690-4911 x255  
[jreese@wccca.com](mailto:jreese@wccca.com)

Testimony To The  
Senate Committee on Veterans and Emergency Preparedness

**In Support of HB 2919**

Chair Boquist, Committee Members:

For the record, I'm Larry Hatch; I am the Assistant Director at Washington County 9-1-1 and here today representing Oregon APCO/NENA.

Oregon APCO/NENA supports HB 2919 which eliminates the reporting requirement related to disclosure, at request of law enforcement agency, of call location information of cellular device used to call 9-1-1 or believed to be in possession of individual who is believed to be in emergency situation.

**Background**

HB 4022 (2014) was passed largely in response to a 2007 incident where Kelsey Ann Smith went missing in Kansas. Law enforcement requested a ping of her cell phone to determine her location and it took the wireless carrier four days to respond to the location identification request.

**HB 4022 Provisions**

HB 4022 as initially drafted required cellular service providers to provide location information for wireless phones at the request of a law enforcement agency for emergency purposes. In addition the office of Oregon Emergency Management (OEM) was directed to maintain a central database of contact information for cellular service providers. Oregon Association of Public-safety Communications Officials (APCO) reviewed the bill's language and did not raise objections because timely response from the wireless industry has not been a problem for Oregon PSAP's (public safety answering points) in the past due to a good working relationship.

**Current Status of HB 4022 Implementation**

In October 2014 at the OEM State 9-1-1 meeting OEM staff advised PSAP managers that they were building a database to track all wireless location requests. PSAPs, law enforcement, and wireless carriers involved will be requested to enter data into this newly created database. Under the provisions of HB 4022 OEM's implementation plan includes complying with the portion of the bill that requires the creation and maintenance of a database system that contains contact information. OEM has contracted with a vendor to create a database for this purpose. The vendor is currently authorized to spend \$69,222.00 for phase one of the project. 9-1-1 tax dollars are being used to fund this program.

### **Potential Solutions to Unnecessary/Onerous HB 4022 Provisions**

Oregon APCO/NENA believes there was not an existing problem that needed to be solved but did not object to the passage of HB 4022. Oregon's PSAPs have a good working relationship with the wireless carriers and they have been very responsive PSAP needs under these types of circumstances. As a result of HB 4022's passage OEM has been required to set up a system that spends 9-1-1 dollars (that would otherwise go to PSAPs). The bill creates additional workload for PSAP's and law enforcement agencies who are already struggling to meet increased demands and workload.

Having the Kelsey Smith Act in place to attain compliance from wireless carriers if or when an issue arises is exemplary. The PSAP relationship with the wireless carriers on obtaining location information has been very good. HB 2919, in front of the committee, will resolve the reporting requirements and reduce the burden on the public safety answering points, law enforcement agencies (who are also required to report), and the State Office of Emergency Management's 9-1-1 program staff.

**Practical example** of the current PSAP effort to make an exigent request of a wireless carrier might help clarify support for HB 2919.

Currently, PSAP staff verifies the circumstance presented meets the requirements for the request, "one or more people face immediate danger of death or serious injury." PSAP staff places a call to the wireless carrier after determining which carrier provides service to the phone, explains the circumstances and need, and then depending on the carrier several things may need to occur. Some carriers require a faxed request prior to action; other carriers require your PSAP name and phone number for a return call to the PSAP to verify the request; other carriers will remain on the line with the PSAP staff and provide them with the requested information; and finally some require a letter to be faxed afterward to document the request. Often times this exchange takes several phone calls between the PSAP and the wireless carrier and the production of a document that can be faxed detailing the request.

All of this occurs on recorded phone lines in the PSAP with extensive documentation. At my center the request is documented in the computer aided dispatch system; it's also documented on the exigent circumstance fax and we retain all this documentation according to current record retention laws. The current law additionally requires the PSAP staff to report to the State Office of Emergency Management's 9-1-1 program accomplished by logging in to a different database that was created for the purpose of tracking the wireless exigent request and document the interaction again. The reporting requirement takes PSAP staff off line for another 3-5 minutes to complete the reporting requirement.

In the case of Washington County 9-1-1, the majority of exigent wireless requests are handled by the carriers in under 8 minutes, with only an occasional request outside that time frame. Those are typically related to the unique nature of the circumstance like the phone is powered off, or the phone is roaming to a different network, or some other oddity in the circumstances.

I urge your support of HB 2919 to eliminate the reporting requirement which takes PSAP staff away from their other duties; and creates additional requirements of the Office of Emergency Management 9-1-1 Program staff. I am happy to answer any questions you may have.