

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Judiciary

REVENUE: May have revenue impact, statement not yet issued**FISCAL: May have fiscal impact, statement not yet issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Whitney Perez, Counsel**Meeting Dates:** 2/8

WHAT THE MEASURE DOES: Authorizes pre-employment polygraph examinations for law enforcement officer applicants. Prohibits post-employment polygraph examinations of law enforcement officers. Exempts results and reports from such examinations from public records disclosure.

ISSUES DISCUSSED:

- Use of polygraph does not replace background checks
- Influx of law enforcement applicants who did not pass polygraph in other western states
- Goal is to ensure quality law enforcement officers
- Procedures related to polygraph test
- Public records request exemption

EFFECT OF COMMITTEE AMENDMENT:

Proposed (-1) Amendment requires that the use of polygraphs for pre-employment screening of law enforcement applicants is subject to applicable collective bargaining agreement.

BACKGROUND:

Certain law enforcement agencies would like the option to use polygraph examinations as a tool to screen law enforcement candidates to ensure the hiring of the highest quality law enforcement officers. The Police Executive Research Forum and the International City County Managers Association have recommended the use of polygraph examinations in screening law enforcement officer candidates. Several states allow for this use of polygraph examination.

Oregon law prohibits polygraph examinations as a condition of employment or continuation of employment. Violation of this law is an A misdemeanor. It is also considered an unlawful employment practice subject to administrative and civil enforcement.

Senate Bill 1555 amends existing law to allow for polygraph examination as a condition of employment for law enforcement officers. It does not allow the use of polygraph examination of law enforcement officers during their employment. SB 1555 also exempts polygraph examinations and the materials associated with those examinations conducted pursuant to this measure from disclosure under public records law.

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This summary has not been adopted or officially endorsed by action of the committee.

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