

Fiscal: No fiscal impact

Revenue: No Revenue Impact

Action Date: 02/10/16

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 02/08, 02/10

Vote:

Yeas: 5 - Gelser, Kruse, Prozanski, Rosenbaum, Thatcher

Prepared By: Whitney Perez, Counsel

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. Specifies use of polygraph for screening law enforcement applicants is subject to applicable collective bargaining agreement.

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:

Requires use of polygraphs for pre-employment screening of law enforcement applicants be subject to an applicable collective bargaining agreement.

BACKGROUND:

Certain law enforcement agencies would like the option to use polygraph examinations as an additional tool to screen law enforcement candidates. 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 and several states allow for its use.

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 A 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 A also exempts polygraph examinations and the materials associated with those examinations conducted pursuant to this measure from disclosure under public records law. The measure requires use of the polygraph examination to be part of the agency collective bargaining agreement.