

HOUSE AMENDMENTS TO HOUSE BILL 4087

By COMMITTEE ON JUDICIARY

February 15

- 1 On page 1 of the printed bill, line 2, after “officers;” delete the rest of the line.
2 Delete lines 5 through 28.
3 Delete pages 2 through 4.
4 On page 5, delete lines 1 through 25 and insert:
5 **“SECTION 1. (1) As used in this section and section 2 of this 2016 Act:**
6 **“(a) ‘Law enforcement unit’ has the meaning given that term in ORS 181A.355.**
7 **“(b) ‘Police officer’ has the meaning given that term in ORS 133.525.**
8 **“(2) A police officer, or a law enforcement unit acting on behalf of a police officer, may**
9 **file a petition with the circuit court in whose jurisdiction the law enforcement unit that the**
10 **police officer serves is located, to require the law enforcement unit that the police officer**
11 **serves to withhold from disclosure the name, home address, electronic mail address, tele-**
12 **phone number, date of birth and other identifying information of the police officer, or**
13 **members of the police officer’s immediate family, only if, by clear and convincing evidence,**
14 **the law enforcement unit can demonstrate that the police officer, or a member of the police**
15 **officer’s immediate family, has received a credible threat of present danger to the life of the**
16 **police officer or a member of the police officer’s immediate family. The petition to withhold**
17 **information must be related to a specific event in which the police officer was involved.**
18 **“(3) All proceedings related to the petition must be held in camera.**
19 **“(4) The court shall enter an order granting or denying the petition within five business**
20 **days after the date on which the petition is filed.**
21 **“(5) The law enforcement unit shall withhold from disclosure the identifying information**
22 **described in subsection (2) of this section while the petition is pending review by the court.**
23 **“(6) The information described in subsection (2) of this section may be withheld for no**
24 **longer than 90 days from the date on which the court enters an order. A police officer, or a**
25 **law enforcement unit acting on behalf of a police officer, may petition, and the court may**
26 **consider, one or more extensions of the order of up to 90 days each if the law enforcement**
27 **unit can demonstrate a continuing credible threat of present danger to the life of the police**
28 **officer or a member of the police officer’s immediate family.**
29 **“(7) An order issued under this section may not restrict the disclosure of information**
30 **about the police officer that is unrelated to the specific event described in subsection (2) of**
31 **this section.**
32 **“SECTION 2. (1) If a plaintiff brings a cause of action against a law enforcement unit for**
33 **an action or omission of a police officer that serves the law enforcement unit, and the**
34 **plaintiff has reason to believe that identifying information of the police officer is under a**
35 **protective order issued pursuant to section 1 of this 2016 Act, the plaintiff may file a motion**

1 with the cause of action to require the law enforcement unit to release the identifying in-
2 formation of the police officer for purposes of the cause of action.

3 “(2) Nothing in this section or section 1 of this 2016 Act, or in the issuance of a protective
4 order under section 1 of this 2016 Act, shall prevent a court in a judicial proceeding involving
5 a police officer whose identifying information is under a protective order issued pursuant to
6 section 1 of this 2016 Act, from ordering the disclosure of identifying information of the po-
7 lice officer to parties in that proceeding. The court may issue other orders as the court
8 deems necessary, including an order to restrict parties to the proceeding from disclosing the
9 information under the protective order.”

10 In line 26, delete “7” and insert “3”.

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