

Requested by Representative BARKER

**PROPOSED AMENDMENTS TO
HOUSE BILL 4087**

1 On page 1 of the printed bill, line 2, after “officers;” delete the rest of the
2 line.

3 Delete lines 5 through 28.

4 Delete pages 2 through 4.

5 On page 5, delete lines 1 through 25 and insert:

6 **“SECTION 1. (1) As used in sections 1 and 2 of this 2016 Act:**

7 **“(a) ‘Law enforcement unit’ has the meaning given that term in**
8 **ORS 181A.355.**

9 **“(b) ‘Police officer’ has the meaning given that term in ORS 133.525.**

10 **“(2) A police officer, or a law enforcement unit acting on behalf of**
11 **a police officer, may file a petition with the circuit court in whose**
12 **jurisdiction the law enforcement unit that the police officer serves is**
13 **located, to require the law enforcement unit that the police officer**
14 **serves to withhold from disclosure the name, home address, electronic**
15 **mail address, telephone number, date of birth and other identifying**
16 **information of the police officer, or members of the police officer’s**
17 **immediate family, only if, by clear and convincing evidence, the law**
18 **enforcement unit can demonstrate that the police officer, or a member**
19 **of the police officer’s immediate family, has received a credible threat**
20 **of present danger to the life of the police officer or a member of the**
21 **police officer’s immediate family. The petition to withhold information**

1 must be related to a specific event in which the police officer was in-
2 volved.

3 “(3) All proceedings related to the petition must be held in camera.

4 “(4) The court shall enter an order granting or denying the petition
5 within five business days after the date on which the petition is filed.

6 “(5) The law enforcement unit shall withhold from disclosure the
7 identifying information described in subsection (2) of this section while
8 the petition is pending review by the court.

9 “(6) The information described in subsection (2) of this section may
10 be withheld for no longer than 60 days from the date on which the
11 court enters an order. A police officer, or a law enforcement unit
12 acting on behalf of a police officer, may petition, and the court may
13 consider, one or more extensions of the order of up to 60 days each if
14 the law enforcement unit can demonstrate a continuing credible
15 threat of present danger to the life of the police officer or a member
16 of the police officer’s immediate family.

17 “(7) An order issued under this section may not restrict the disclo-
18 sure of information about the police officer that is unrelated to the
19 specific event described in subsection (2) of this section.

20 **“SECTION 2. (1) If a plaintiff brings a cause of action against a law**
21 **enforcement unit for an action or omission of a police officer that**
22 **serves the law enforcement unit, and the plaintiff has reason to be-**
23 **lieve that identifying information of the police officer is under a pro-**
24 **TECTIVE order issued pursuant to section 1 of this 2016 Act, the plaintiff**
25 **may file a motion with the cause of action to require the law**
26 **enforcement unit to release the identifying information of the police**
27 **officer for purposes of the cause of action.**

28 “(2) Nothing in this section or section 1 of this 2016 Act, or in the
29 issuance of a protective order under section 1 of this 2016 Act, shall
30 prevent a court in a judicial proceeding involving a police officer

1 **whose identifying information is under a protective order issued pur-**
2 **suant to section 1 of this 2016 Act, from ordering the disclosure of**
3 **identifying information of the police officer to parties in that pro-**
4 **ceeding. The court may issue other orders as the court deems neces-**
5 **sary, including an order to restrict parties to the proceeding from**
6 **disclosing the information under the protective order.”.**

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

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