

SB 40 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 2/6

WHAT THE MEASURE DOES:

Requires all private security providers to apply for certification or licensure to Department of Public Safety Standards and Training in the same manner. Directs department to maintain fingerprint cards used for criminal records check of public safety officers seeking certification or recertification or who is under investigation by department. Removes requirement that department maintain fingerprint cards used for criminal records check of applicants for certification or licensure as private security provider or licensure as a general polygraph examiner or private investigator.

Exempts department from law requiring certain governmental agencies to use electronic fingerprint capture technology when conducting criminal records checks.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Expands existing law to require certain employers of public safety officers to provide Department of Public Safety Standards and Training (DPSST) with access to personnel records of a current or former employee if DPSST requests records related to investigation of the current or former employee's qualifications, training, or certification as a public safety officer. This includes employers of corrections officers, youth corrections officers, emergency medical dispatchers, parole and probation officers, police officers, certified reserve officers, reserve officers, telecommunicators, regulatory specialists, and fire service professionals. Provides immunity from civil liability for employer of public safety officer who discloses these records in good faith.

BACKGROUND:

Oregon law establishes the application process for persons applying for a private security professional certification. Senate Bill 40 broadens this procedure to include applicants seeking certification or licensure as a private security provider. The definition of private security provider includes individuals who are private security professionals, executive managers, supervisory managers, or instructors.

Oregon law presently requires the Department of Public Safety Standards and Training (department) to retain the fingerprint cards used to conduct criminal records checks of applicants seeking certification or licensure as a private security provider or licensure as a general polygraph examiner or private investigator. SB 40 eliminates these requirements. SB 40 does require that the department maintain the fingerprint cards used to conduct criminal records check on persons applying to be certified or recertified as a public safety officer, or an applicant or public safety officer who is under investigation by the department. The definition of public safety officer includes corrections officers, youth corrections officers, emergency medical dispatchers, parole and probation officers, police officers, reserve officers, certified reserve officers, telecommunicators, regulatory specialists, and fire service professionals. Finally, SB 40 exempts the department from the requirement that certain governmental agencies use electronic fingerprint capture technology to conduct criminal records checks