

## **LC 80 (6/18/20) STAFF MEASURE SUMMARY**

### **Joint Interim Committee on the First Special Session of 2020**

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**Prepared By:** Channa Newell, LPRO Analyst

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#### **WHAT THE MEASURE DOES:**

Directs the Department of Public Safety Standards and Training (DPSST) to adopt rules requiring a police officer to intervene when another officer violates a law, rule, or policy or acts unethically. Requires DPSST to enact rules that require the reporting of such conduct and that provide that failure to intervene or report such conduct is grounds for suspension or revocation of a police officer's certification. Declares emergency, effective on passage.

#### **ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:** Forthcoming.

#### **BACKGROUND:**

There is currently no comprehensive, centralized database of law enforcement officer discipline records. The Department of Public Safety Standards and Training (DPSST) is the state agency responsible for training and certifying police officers in Oregon. Under ORS 181A.640, DPSST may suspend or revoke an officer's certification if the officer falsifies information on their application, is convicted of a crime or violation in any state, fails to attend a session with a mental health professional after being involved in a deadly force incident, or otherwise fails to meet DPSST standards and conditions. An officer subject to a suspension or revocation of their certification is entitled to notice and an opportunity for a hearing and appeal. There is currently no state statute requiring an officer to report or intervene to stop misconduct by another officer. However, a law enforcement agency could adopt policies requiring such action and impose its own discipline.

LC 80 would require DPSST to adopt rules requiring a police officer to intervene and report when another officer violates a law, rule, or policy or acts unethically. An officer's failure to intervene or report is grounds for suspension or revocation of that officer's certification.