

**LC 744 STAFF MEASURE SUMMARY**

**Joint Interim Committee on Transparent Policing and Use of Force Reform  
Second Special Session of 2020**

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**WHAT THE MEASURE DOES:**

Requires police or reserve officer to make report when officer witnesses misconduct by another officer within same law enforcement unit. If the misconduct was committed against a civilian, directs officer to report to a direct supervisor, a person within the officer's chain of command, or another person the reporting officer believes has the authority to investigate misconduct and impose discipline. If the misconduct was committed by the reporting officer's supervisor or the misconduct was committed against a police or reserve officer, requires officer to report to the Bureau of Labor and Industries (BOLI). Directs BOLI to redact identifying information of reporting officer and transmit report to officer's law enforcement unit for investigation.

Requires individual receiving initial report from officer to transfer report to person with authority to investigate and impose discipline within 72 hours, if individual receiving initial report lacks such authority. Directs person with authority to investigate and impose discipline to open an investigation within 48 hours of receiving report, transmit the report to BOLI, and to transmit the report to the Oregon Department of Justice (DOJ) if the misconduct was committed against a civilian. Requires investigation to be completed within three months of the date of the report and that BOLI be notified of outcome. Directs BOLI to create a reporting form and database of police misconduct reports.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

**BACKGROUND:**

House Bill 4205 (2020 1<sup>st</sup> Special Session) required a police officer or reserve officer to report alleged misconduct by another officer to a supervisor within 72 hours of witnessing the alleged misconduct. The measure defined misconduct to include unjustified or excessive force, sexual harassment or sexual misconduct, discrimination based on an individual's membership in a protected class, a crime, or any other violation of the minimal standards imposed on public safety personnel by ORS 181A.410. Failure to report misconduct is grounds for disciplinary action including the suspension or revocation of the officer's certification by the Department of Public Safety Standards and Training (DPSST).

Legislative Concept 744 identifies a process for a police or reserve officer to report misconduct committed by another officer within their unit.