SUMMARY

Establishes requirements for peace officer uniforms.
Establishes requirements for displaying identifying information on peace officer uniforms and for disclosing identifying information to public upon request. Provides that failure to comply with requirements constitutes crime of official misconduct in the second degree, punishable by maximum of 30 days’ imprisonment, $1,250 fine, or both. Establishes requirements for displaying identifying information on law enforcement motor vehicles.
Directs Department of Public Safety Standards and Training to assign identifying number to each police officer certified by department.
Declares emergency, effective on passage.

A BILL FOR AN ACT
Relating to policing requirements; creating new provisions; amending ORS 181A.410; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) Except as provided in subsection (2) of this section, at all times that a peace officer is performing official duties other than participating in an undercover law enforcement operation, the peace officer shall wear a uniform consisting of a light blue or white shirt and navy blue pants. The uniform may include a navy blue jacket.
(2) A peace officer may not wear a uniform consisting of all black or dark blue clothing unless the peace officer is participating in a special weapons and tactics (SWAT) team or correctional emergency response team (CERT).
(3) A peace officer may not wear a visible tactical vest unless the peace officer is participating in a special weapons and tactics (SWAT)
team or correctional emergency response team (CERT).

(4) As used in this section, “peace officer” has the meaning given that term in ORS 133.005.

SECTION 2. (1)(a) A peace officer performing official duties in uniform shall prominently display, in lettering legible to a person with average vision in all weather and light conditions from a distance of at least 25 feet, the peace officer’s first and last name, badge number or other identifying number and information sufficient to identify the peace officer’s employer.

(b) A peace officer who is performing official crowd control duties shall prominently display on both the front and back of the peace officer’s uniform, in lettering legible to a person with average vision in all weather and light conditions from a distance of at least 25 feet, the peace officer’s last name, badge number or other identifying number and either the word “police” or the words “law enforcement.”

(c) A peace officer performing official duties other than participation in an undercover law enforcement operation shall, upon request, provide a member of the public with the peace officer’s name and badge number.

(2) The failure by a peace officer to comply with the requirements described in subsection (1) of this section constitutes official misconduct in the second degree under ORS 162.405.

(3) At all times that a motor vehicle is used by a law enforcement agency for official duties other than an undercover law enforcement operation, the vehicle must display on the front, back and two sides of the vehicle, in lettering legible to a person with average vision in all weather and light conditions from a distance of at least 25 feet, a unique vehicle identification number. The vehicle identification number must also be displayed on the top of the vehicle in lettering legible to a person with average vision from a height of at least 2,000 feet.
above the vehicle.

(4) As used in this section:

(a) “Law enforcement agency” has the meaning given that term in ORS 181A.010.

(b) “Peace officer” has the meaning given that term in ORS 133.005.

SECTION 3. ORS 181A.410 is amended to read:

181A.410. (1) In accordance with any applicable provision of ORS chapter 183, to promote enforcement of law and fire services by improving the competence of public safety personnel and their support staffs, and in consultation with the agencies for which the Board on Public Safety Standards and Training and Department of Public Safety Standards and Training provide standards, certification, accreditation and training:

(a) The department shall recommend, and the board shall establish by rule, reasonable minimum standards of physical, emotional, intellectual and moral fitness for public safety personnel and instructors.

(b) The department shall recommend, and the board shall establish by rule, reasonable minimum training for all levels of professional development, basic through executive, including but not limited to courses or subjects for instruction and qualifications for public safety personnel and instructors. Training requirements shall be consistent with the funding available in the department’s legislatively approved budget.

(c) The department, in consultation with the board, shall establish by rule a procedure or procedures to be used by law enforcement units, public or private safety agencies or the Oregon Youth Authority to determine whether public safety personnel meet minimum standards or have minimum training.

(d) Subject to such terms and conditions as the department may impose, the department shall certify instructors and public safety personnel, except youth correction officers, as being qualified under the rules established by the board.

(e) The department shall deny applications for training and deny, suspend and revoke certification in the manner provided in ORS 181A.630, 181A.640
and 181A.650 (1).

(f) The department shall cause inspection of standards and training for instructors and public safety personnel, except youth correction officers, to be made.

(g) The department may recommend, and the board may establish by rule, accreditation standards, levels and categories for mandated and nonmandated public safety personnel training or educational programs. The department and board, in consultation, may establish to what extent training or educational programs provided by an accredited university, college, community college or public safety agency may serve as equivalent to mandated training or as a prerequisite to mandated training. Programs offered by accredited universities, colleges or community colleges may be considered equivalent to mandated training only in academic areas.

(h) The department shall recommend, and the board shall establish by rule, an educational program that the board determines will be most effective in reducing profiling, as defined in ORS 131.915, by police officers and reserve officers. The program must be required at all levels of training, including basic training and advanced, leadership and continuing training.

(2) The department may:

(a) Contract or otherwise cooperate with any person or agency of government for the procurement of services or property;

(b) Accept gifts or grants of services or property;

(c) Establish fees for determining whether a training or educational program meets the accreditation standards established under subsection (1)(g) of this section;

(d) Maintain and furnish to law enforcement units and public and private safety agencies information on applicants for appointment as instructors or public safety personnel, except youth correction officers, in any part of the state; and

(e) Establish fees to allow recovery of the full costs incurred in providing services to private entities or in providing services as experts or expert
(3) The department, in consultation with the board, may:

(a) Upon the request of a law enforcement unit or public safety agency, conduct surveys or aid cities and counties to conduct surveys through qualified public or private agencies and assist in the implementation of any recommendations resulting from such surveys.

(b) Upon the request of law enforcement units or public safety agencies, conduct studies and make recommendations concerning means by which requesting units can coordinate or combine their resources.

(c) Conduct and stimulate research to improve the police, fire service, corrections, adult parole and probation, emergency medical dispatch and telecommunicator professions.

(d) Provide grants from funds appropriated or available therefor, to law enforcement units, public safety agencies, special districts, cities, counties and private entities to carry out the provisions of this subsection.

(e) Provide optional training programs for persons who operate lockups. The term “lockup” has the meaning given it in ORS 169.005.

(f) Provide optional training programs for public safety personnel and their support staffs.

(g) Enter into agreements with federal, state or other governmental agencies to provide training or other services in exchange for receiving training, fees or services of generally equivalent value.

(h) Upon the request of a law enforcement unit or public safety agency employing public safety personnel, except youth correction officers, grant an officer, fire service professional, telecommunicator or emergency medical dispatcher a multidiscipline certification consistent with the minimum requirements adopted or approved by the board. Multidiscipline certification authorizes an officer, fire service professional, telecommunicator or emergency medical dispatcher to work in any of the disciplines for which the officer, fire service professional, telecommunicator or emergency medical dispatcher is certified. The provisions of ORS 181A.500, 181A.520 and [5]
181A.530 relating to lapse of certification do not apply to an officer or fire
service professional certified under this paragraph as long as the officer or
fire service professional maintains full-time employment in one of the certi-
fied disciplines and meets the training standards established by the board.

(i) Establish fees and guidelines for the use of the facilities of the train-
ing academy operated by the department and for nonmandated training pro-
vided to federal, state or other governmental agencies, private entities or
individuals.

(4) Pursuant to ORS chapter 183, the board, in consultation with the de-
partment, shall adopt rules necessary to carry out the board’s duties and
powers.

(5) Pursuant to ORS chapter 183, the department, in consultation with the
board, shall adopt rules necessary to carry out the department’s duties and
powers.

(6) For efficiency, board and department rules may be adopted jointly as
a single set of combined rules with the approval of the board and the de-
partment.

(7) The department shall obtain approval of the board before submitting
its legislative concepts, Emergency Board request or agency request budget
to the Oregon Department of Administrative Services.

(8) The Department of Public Safety Standards and Training shall develop
a training program for conducting investigations required under ORS
181A.790.

(9) The department shall assign an identifying number to each po-
lice officer who is certified by the department.

SECTION 4. This 2021 Act being necessary for the immediate pres-
ervation of the public peace, health and safety, an emergency is de-
clared to exist, and this 2021 Act takes effect on its passage.