



To: Members of the Joint Transparent Policing and Use of Force Reform Committee

From: Chief Jim Ferraris, President
Oregon Association Chiefs of Police

Date: July 29, 2020

Re: LC 743 – Concerns regarding Uniforms, Identification and Vehicles

Good Morning Co-Chairs Bynum and Manning and Members of the Committee:

For the record, my name is Jim Ferraris. I am the Chief of Police of the City of Woodburn. I am also the President of the Oregon Association Chiefs of Police. I am here today to offer testimony about LC 743 regarding uniforms and vehicles. During my 42-year veteran of law Oregon law enforcement career, I have worn the uniforms of 4 Oregon departments, Beaverton, Portland, Salem and Woodburn. There isn't much in the realm of police uniforms and equipment that I haven't worn or used.

This bill as written has significant consequences of concern for law enforcement officers of all ranks and functions from line officer/deputies/trooper to chiefs, sheriffs and superintendents. I am curious as to the goal of this proposed legislation. What problems currently exist and how will this bill be the resolution?

There are a number of purposes behind law enforcement uniforms. One is to provide a consistent appearance for members of a particular agency or jurisdiction. Another is to readily identify a police officer through the uniform. Individual community and department values are expressed through a particular jurisdiction's police uniform. Individual agency uniforms instill agency pride, providing a sense of "esprit de corps". This bill as written denies communities and departments the ability to express themselves through the appearance of their police officers. The proposed legislation requires specific colors of clothing, white or light blue shirts, blue pants and blue jackets. Those color schemes do not provide the utility for today's law enforcement officers from a wear, cleanliness and appearance standpoint.

The exclusion of "tactical" vests in this bill is problematic. How is "tactical vest" defined as

referenced in this bill? These vests, known as load bearing or external vests, were introduced to policing from an ergonomic perspective because of injuries sustained by officers due to the constant weight of the equipment belt riding on officers' hips. Ruptured or herniated discs, hip and sciatic nerve issues all have been reported by police officers and confirmed by medical professionals from the wearing of heavy equipment belts. Additionally, the more tools police officers must carry, less room is available on the equipment belt. Wearing of the tactical vest, takes the equipment weight off the hips and more evenly distributes the weight on the body, while providing a place to carry equipment that would not fit on the equipment belt.

Another purpose for the external vest is for the carry and wearing of body armor. The tactical vests hold body armor that has been traditionally worn under the uniform shirt. Wearing of the external version again more evenly distributes the weight of the ballistic vest panels, allows for more cooling because the vest is not trapped under clothing. It also allows officers to move freely, while allowing officers to remove the vest for comfort when for instance, in the station writing reports, etc., without having to undress to remove the vest. Without the availability of these external vests, injuries to our police officers will increase and costs to agencies, government and taxpayers will rise.

The identification requirements of the bill are problematic. Having an officer's full name, badge number and employer information on the uniform to be visible from at least 25 feet in all weather and light conditions is problematic. Not only would the necessary font of such lettering take up a good portion of the front of the uniform shirt, it would have an unattractive and unprofessional appearance. Especially challenging would be placing such identifiers on uniforms of smaller stature officers or officers with particularly long names.

The requirements of this bill seem to disallow specialty uniforms like those worn by bicycle officers, motorcycle officers both of whom usually wear a bright, fluorescent type color for visibility. Officers engaged in traffic control wear orange or bright green vests for visibility to meet OSHA requirements. Motor carrier and VIN inspection officers and PUC officers often wear coveralls in their work. Fish and Game officers often wear camouflage clothing as part of their duties. Tactical officers on SWAT teams often wear camouflage clothing when engaged in a tactical mission for safety and concealment.

Police officers serving in staff assignments, supervisory and command assignments often wear plainclothes because of the type of work performed and detectives and other investigators wear plainclothes on a daily basis as part of their investigative responsibilities. This bill as written seems to prohibit plainclothes for all of the functions listed.

Most agencies already have policies in effect requiring personnel to provide name and ID number when asked by a member of the public.

To have a criminal penalty for police officers wearing the wrong shirt or pants or not providing a name or badge number seems like overreach when considering the number of instances when “doxing” occurs (public broadcast of an officers personal information) and giving such info at the moment may not be safe to do so.

While most patrol vehicles are marked with agency identifiers: badge, logo, website, fleet inventory number, some specialty vehicles are not marked. Investigative, supervisory, command and administrative vehicles are not traditionally marked due to the versatile work performed by those in such roles. The requirement to have a number on top of the vehicle visible from 2000 feet seems wasteful when considering most jurisdictions in Oregon do not have any type of air unit.

Cost is again a factor for agencies. The cost to complying with the prescribed uniforms and equipment in this bill are significant. To mandate such uniform changes and vehicle markings will have a negative impact on budgets statewide. For example, I estimate that it will cost approximately \$75,000 in unbudgeted funds to outfit my department with uniforms in compliance with this bill. I estimate for my agency, complying with the vehicle marking requirements of this bill will have an unbudgeted cost upwards of \$10,000. With reductions in law enforcement budgets occurring across the state and departments realizing the fiscal impacts of the COVID crisis, now is not the time to be negatively influencing budgets of public safety agencies.

The OACP opposes this bill as written and suggests that a workgroup be established with participation by the OACP and OSSA to identify problems and solutions for further consideration.

Thank you for your consideration.