



# SHERIFF

## WASHINGTON COUNTY

### CONSERVING THE PEACE THROUGH VALUES DRIVEN SERVICE / SHERIFF PAT GARRETT

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

**From:** Sheriff Pat Garrett, Washington County Sheriff's Office

**Date:** July 29<sup>th</sup>, 2020

**Re:** **Testimony regarding LC 743 – Uniforms, Identification & Vehicles.**

Good Afternoon Co-Chairs Bynum and Manning and Members of the Committee,

For the record, my name is Pat Garrett, I am the Washington County Sheriff and I am here today to express concerns regarding LC 743 as currently drafted. The Oregon State Sheriff's Association and I recognize and appreciate many in the community calling for police reform and we appreciate the opportunity to provide feedback to this important and timely discussion. Oregon sheriffs serve every community across our state. While most sheriffs serve rural communities, many serve very urban and diverse residents. All of us are proud and grateful for the opportunity to serve every community across Oregon and be part of this important, reform-minded conversation today and into the future.

We respectfully request you allow load bearing vests to be worn by public safety officers to protect their health, prevent needless and costly workers compensation claims and prevent career ending injuries.

Load bearing vests are designed to alleviating the discomfort, fatigue and chronic physical problems suffered by many public safety officers as the result of the weight of their equipment-laden duty belts pressing on their hips, nerves and lower backs over many years in uniform. Public safety officers need flexible ergonomic load-bearing systems that better distribute the weight of the equipment over the entire body, and a load bearing vest system has proven the most adept and flexible to properly distribute the weight to meet the health needs of individual officers. Equipment setup limited to a duty belt tend to cause back injuries over time. Load bearing vests support good ergonomics. Staff who work in offices have ergonomic chairs to adjust. Load-bearing vests serve a similar purpose for a public safety officer who are in an out of a car, walking, climbing stairs, jumping a fence, and standing for long periods of time. Vests can also be removed quickly during a break. Load bearing vests are also often worn by detectives and administrators who arrive on-scene during an emergency or after hours.

In addition to historical defensive tools, today's public safety officers carry Narcan, latex gloves, tourniquet, additional first-aid supplies, seat belt cutter, multi-tool, body camera, flashlight, cell phones, notebook, two pair of handcuffs, quick reference cards, ID cards, Taser, pepper spray, and other less-lethal defensive tools that help de-escalate dangerous incidents and lowers the potential of using lethal force.

The Washington County Sheriff's Office was a late adopter of load bearing vests. While anecdotal, I am continually surprised by the number of staff who tell me they are grateful for the vest option because their back or hips feel better, relieved they can work pain free, or continue to work at all.

As written, LC 743 requires all officers "performing official duties" to be in uniform. Official duties can include tasks that require no uniform and no visible contact with the public. Other duties are more appropriately performed in a non-standard or non-conventional uniform. Examples include detective interviews of a person during an investigation, processing a crime scene, attending an autopsy, and other investigative related duties. These duties do not require the array of defensive tools that accompany a standard, conventional public safety uniform. Also, meetings with public safety partners or community members when wearing polo-style or buttoned shirts make staff more approachable.

Some variety in uniforms helps to distinguish one agency from another, and that is helpful because people sometimes confuse agencies when registering a complaint or compliment. No police or sheriff's office patrol in Oregon wears camouflage for daily wear, though some duties do justify camouflage, like a SWAT team in a rural environment or in a location with vegetation. Oregon State Police Fish and Game troopers wears camouflage and their duties make that color option necessary. Also, LC 743 appears to make it unlawful for a public safety officer to wear a traffic safety or similar vest.

A check with uniform manufacturer "Blauer" provides helpful context. Most police uniforms across the country are some version of blue; more than 90% of them are navy blue. Dark blue or black uniforms are often favored because they are less likely to show dirt or perspiration. Most sheriff's office's uniforms are usually brown or tan. White shirts are increasingly less common except in upper ranks in some agencies. Most mills producing Public Safety fabrics are not producing large quantities of white and medium blue. Most agencies prefer a wool blend because it's cooler, wears better and in the long run is less costly, though white is not available in a wool blend. Production and manufacturing are reduced to 30% due to COVID-19. Much of what is being produced is navy blue poly or poly/cotton blend, because of constraints on manufacturing due to COVID-19. If the demand were high enough, "Blauer" could manufacture white or med blue wool blend shirts but it would take up to a year.

Costs of changing uniforms would be significant. For an agency like the Kaiser Police Department and their 42 officers and six Reserve officers, the total cost of a uniform change, consistent with LC 743, is over \$70,000. At the Washington County Sheriff's Office, we estimate the cost of the uniform change for 276 law enforcement deputies and 19 Reserve deputies is \$311,000, including costs for rain jacket, patches, hat, tie, and fitting.

We are concerned a requirement for uniforms to have first and last names and DPSST numbers require too much area, even without requiring it be readable at 25 feet. According to an on-line letter sizing calculator ([Thesignchef.com](http://Thesignchef.com)), letter sizing that would be easily readable at 25 feet requires each letter to be two and a half inches high. That is five times larger than the typical sewn cloth name strip with one-half inch high lettering that in most cases takes up the entire space across the top of a shirt pocket or one side of a load bearing vest. We support a uniform standard that includes the officer's name being readily visible, and we are happy to work with your committee and colleagues to achieve that objective. We also support a variance for certain SWAT team uniforms and traffic safety vests.

Regarding vehicle markings, not all public safety motor vehicles for official duties are appropriate to display markings described by the legislative counsel draft.

According to data from the Oregon Department of Transportation and the National Highway Traffic Safety Administration, from 2008 through 2017 there were 499,721 vehicle crashes in the State of Oregon:

- 240,896 people were injured
- 3,829 people were killed
- On average, 32% of all fatal crashes involve impaired drivers
- At least 94% of all crashes are caused by traffic violations and driver error

Unmarked vehicles used for traffic enforcement are an effective countermeasure to detect and arrest impaired drivers. Unmarked traffic vehicles are very effective for addressing the growing problem of distracted drivers as well and are an effective traffic safety plan that reduces crash severity and saves lives.

Unmarked vehicles are used by detectives for appropriate reasons and are more comforting to crime victims. They do not create unnecessary stress on the victims when detectives visit a house to conduct interviews or transport crime victims. Subpoena service is more appropriate for many victims and witnesses, using an unmarked vehicle and plain clothes officers. Unmarked vehicles are necessary for surveillance, locating suspects wanted in connection with violent crimes, conducting proactive crime reduction activities, and addressing neighborhood livability concerns. Most detective vehicles are not suited or equipped to perform as a public safety emergency response vehicle.

In some communities, officers invited to community events show respect and discretion by using unmarked vehicles and non-standard uniform to avoid causing unnecessary alarm in historically underrepresented communities, and support building connections and relationships.

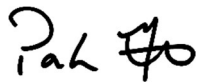
As written, LC 743 requires the vehicle identification number have lettering legible to a person with average vision from a height of at least 2,000 feet above. According to an on-line letter sizing calculator, such lettering would be 16 feet in height. We recommend working with your committee and colleagues to standardize lettering size that can fit atop the vehicle, allowing space for emergency lights, antennas and/or equipment mounts, and considering smaller available areas for pick-up trucks.

Regarding the legislative counsel draft's proposal that the Department of Public Safety, Standards and Training assign an identifying number for each certified police officer in Oregon. DPSST already assigns a five-digit unique identifying "DPSST" number to each city, county, state, tribal, university and railroad police officer, state corrections officer, parole and probation officer, and 911 operator.

Flexibility to permit public safety officers to meet demands during a fast-changing incident means sometimes they are required to transition to other assignments quickly, to include an emergency assignment that was unforeseen. For example, a patrol officer could be assigned to help with crowd control at a crime scene, but because they are not assigned to a crowd control team, they do not have a uniform with his/her name and "police" stenciled on the back. To have that officer fulfill the assignment and risk being arrested for official misconduct or refuse to assist other officers, is untenable. As the current LC 743 is drafted, emergencies or unforeseen circumstances are easily imagined where an officer could stumble into committing a misdemeanor (Official Misconduct) simply because they have the wrong shirt or drive the wrong agency vehicle. We should not criminalize wearing the uniform an officer was provided or driving the car to which he or she was assigned.

The Oregon State Sheriff's Association is grateful to your Committee for allowing us to provide input today and we suggest a workgroup be established with participation by the OSA and OACP to identify problems and solutions for further consideration. On behalf of all 36 sheriffs in Oregon and our staff we thank you for our service and I am happy to take questions.

Sincerely,

A handwritten signature in black ink that reads "Pat Garrett". The signature is written in a cursive, slightly stylized font.

Sheriff Pat Garrett  
Washington County