

LC 751 STAFF MEASURE SUMMARY

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

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WHAT THE MEASURE DOES:

Establishes Task Force on Uniform Statewide Law Enforcement Disciplinary Standards. Requires Task Force to establish uniform statewide standards governing determinations of misconduct, imposition of disciplinary actions in response to determinations of misconduct, and arbitrator standards for misconduct actions against law enforcement officers. Specifies that an arbitrator may not modify the disciplinary action imposed by a law enforcement agency if the imposed disciplinary action complies with the statewide standards developed by the Task Force. Specifies membership of Task Force. Requires Task Force to report back to Joint Committee on Transparent Policing and Use of Force Reform no later than December 15, 2020. Repeals Task Force on December 31, 2020. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

Expands Task Force to include a member from a community-based organization that represents the interests of historically marginalized communities and the Superintendent of the Oregon State Police. Modifies reporting back date.

BACKGROUND:

In the First Special Session of 2020, the Assembly enacted Senate Bill 1604. The measure required an arbitrator who makes a finding of misconduct consistent with the law enforcement agency's finding of misconduct to impose the same disciplinary action that was imposed by the agency, so long as the discipline was done pursuant to a discipline guide or matrix that was adopted by the agency as a result of collective bargaining.

LC 751 establishes the Task Force on Uniform Statewide Law Enforcement Disciplinary Standards and charges the Task Force with developing statewide standards for law enforcement agency determinations of alleged misconduct by a law enforcement officer and imposition of disciplinary actions in response to the determination. The measure also requires the work group to develop statewide standards for arbitration proceedings involving disciplinary action against a law enforcement officer but requires the standards to prohibit modification of a disciplinary action if the discipline imposed complies with the uniform standards developed by the Task Force. The Task Force is required to report back to the Joint Committee on Transparent Policing and Use of Force Reform no later than December 15, 2020, and is dissolved on December 31, 2020.

This summary has not been adopted or officially endorsed by action of the committee.