



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

**From:** **Jason Myers, Executive Director**  
Oregon State Sheriffs' Association

**Chief Jim Ferraris, President**  
Oregon Association Chiefs of Police

**Date:** September 3<sup>rd</sup>, 2020

**Re:** **Testimony re LC 19 (Misconduct)**

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

The Oregon Association of Chiefs of Police (OACP) and the Oregon State Sheriffs' Association (OSSA) would like to provide this testimony on LC 19 which would require a statewide database for Law Enforcement Misconduct. Both Associations cannot support this measure as we have the following concerns.

- Section 2 subsection 6(C)-There is no definition for "Intemperate behavior"
- Section 3 (1)-Requires that "complaints" are forwarded to DPSST for the database. This provision does not provide for due process for the individual who has had a complaint filed against them. Due process is a fundamental aspect all individuals are afforded.
- Section 3 (2)-No exception for Law Enforcement Officers working undercover.
- Section 3 (6)-Requirement to retain complaints for a 30-year retention period.
- Section 4 (1)- Requires that "complaints" are forwarded to DPSST for the database. This provision does not provide for due process for the individual who has had a complaint filed against them. Due process is a fundamental aspect all individuals are afforded.

- Section 4 (7)-Wouldn't allow minors information to be redacted. This information would be made public record.
- Section 5 (2)- Collective bargaining agreements (CBA's) often allow this information to be removed from the employee's file after a period of time. The five-year increment language on reporting to DPSST is ambiguous and unclear.

Thank you for the opportunity to provide this testimony.