

D R A F T

SUMMARY

Directs Oregon Criminal Justice Commission to establish statewide database of reports of use of physical force by peace officers and corrections officers. Requires commission to report annually to appropriate committee or interim committee of Legislative Assembly on reports.

Requires law enforcement units to report on use or threat of physical force, and deaths of persons in custody, to commission.

A BILL FOR AN ACT

Relating to the use of physical force.

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

SECTION 1. (1) As used in this section:

(a) “Corrections officer” has the meaning given that term in ORS 181A.355.

(b) “Law enforcement unit” has the meaning given that term in ORS 181A.355.

(c) “Peace officer” has the meaning given that term in ORS 161.015.

(2) The Oregon Criminal Justice Commission shall establish a statewide database of reports of the use of physical force by peace officers and corrections officers. The database must be searchable and available to the public. The commission shall substitute an individual randomized number for an officer’s certification number, unless the report has resulted in civil litigation against a law enforcement unit.

(3) When a peace officer or corrections officer uses physical force against an individual or threatens to use physical force against an individual, or when a death occurs while an individual is in the custody

1 of a law enforcement unit, the law enforcement unit that employs the
2 officer shall report to the commission:

3 (a) The following information about each officer who used or
4 threatened to use physical force:

5 (A) Certification number.

6 (B) Race.

7 (C) Gender.

8 (D) Age.

9 (E) Height and weight.

10 (F) Years of experience.

11 (G) Whether the officer is a full-time or part-time employee.

12 (H) Whether the officer was readily identifiable.

13 (b) The certification numbers of all officers present at the incident
14 who did not use or threaten physical force.

15 (c) The date, time and location of the use or threat of physical
16 force.

17 (d) The perceived race, gender, age, religion, height and weight of
18 the person against whom physical force was used or threatened.

19 (e) A description of the physical force used or threatened.

20 (f) A description of the severity of the physical force used or
21 threatened.

22 (g) A description of any injuries sustained by officers and persons
23 against whom physical force was used.

24 (h) Whether the officer who used or threatened physical force was
25 on duty.

26 (i) Whether the officer who used or threatened physical force used
27 a weapon or discharged a firearm.

28 (j) Whether the use or threat of physical force was investigated by
29 the law enforcement unit or the Department of Public Safety Stan-
30 dards and Training, and the outcome of the investigation.

31 (k) Whether a citizen complained about the use or threat of phys-

1 ical force, and the outcome of the complaint.

2 (L) Whether the law enforcement unit initiated the contact that
3 ended in the use or threat of physical force.

4 (m) Whether officers were ambushed.

5 (n) Whether a supervisor was present during the use or threat of
6 physical force.

7 (o) The reason for the presence of officers at the incident that
8 ended in the use or threat of physical force.

9 (p) Whether the person against whom physical force was used or
10 threatened resisted.

11 (q) A description of any threats against officers or others made by
12 the person against whom physical force was used or threatened.

13 (r) Whether the person against whom physical force was used or
14 threatened appeared to be impaired.

15 (4) A law enforcement unit may not report to the commission the
16 name, address, Social Security number or other unique personally
17 identifiable information of a person against whom physical force was
18 used or threatened.

19 (5) A law enforcement unit shall submit all reports under sub-
20 section (3) of this section pertaining to a riot within five business days
21 after the riot.

22 (6) The Oregon Criminal Justice Commission shall report annually
23 to an appropriate committee or interim committee of the Legislative
24 Assembly on the reports received under this section, aggregated and
25 broken down by law enforcement unit.

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