

DRAFT

SUMMARY

Establishes requirements for displaying identifying information on peace officer uniforms. Directs law enforcement agencies to consider effect on officers when changing uniforms or uniform policy.

Establishes requirements for disclosing identity of peace officer to public upon request.

Directs Department of Public Safety Standards and Training to assign identifying number to each police officer certified by department.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to policing requirements; creating new provisions; amending ORS 181A.410; and declaring an emergency.

Whereas public safety professionals are members of our communities who are charged with giving full-time attention to public safety, and it is important that they be identifiable as members of our communities; and

Whereas in order to build and maintain community trust, it is critical that law enforcement professionals adhere to the principles of constitutional policing, procedural justice and police legitimacy; and

Whereas because transparency and communication are central to building community trust, public safety professionals should readily identify themselves to the public when requested; now, therefore,

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

SECTION 1. (1)(a) A peace officer performing official duties in uniform shall display, on both the front and back of the uniform:

(A) The peace officer's first initial and last name;

(B) Badge number or other identifying number; and

1 (C) Information sufficient to identify the peace officer's employer.

2 (b) The information displayed on the back of the uniform must be
3 in lettering legible to a person with average vision in most weather
4 and light conditions from a distance of at least 25 feet.

5 (c) The information displayed on the front and back of the uniform
6 may not be covered or obstructed in any way.

7 (2) The requirements described in subsection (1) of this section do
8 not apply to a peace officer in plain clothes or who is participating in
9 an undercover law enforcement operation.

10 (3) Prior to changing a peace officer uniform or adopting changes
11 to a uniform policy, a law enforcement agency shall consider the ef-
12 fects of the changes on officers of all genders and body types.

13 (4) As used in this section:

14 (a) "Law enforcement agency" has the meaning given that term in
15 ORS 181A.010.

16 (b) "Peace officer" has the meaning given that term in ORS 133.005,
17 except that "peace officer" does not include an authorized tribal police
18 officer as defined in ORS 181A.680.

19 SECTION 2. (1) A peace officer performing official duties other than
20 participation in an undercover law enforcement operation shall, upon
21 request, provide a member of the public with the peace officer's name
22 and badge number or other identifying number.

23 (2)(a) Upon request from a member of the public and receipt of any
24 of the following information concerning a peace officer, a law
25 enforcement agency shall perform an investigation to identify the
26 peace officer:

27 (A) A partial name of an officer;

28 (B) The full or partial badge number or other identifying number
29 of an officer;

30 (C) A photograph of an officer;

31 (D) A full or partial license plate or other identifying number of a

1 **police vehicle;**

2 **(E) A physical description of an officer; or**

3 **(F) The location, date and time in which an officer was present.**

4 **(b) Within seven days after receiving a request described in para-**
5 **graph (a) of this subsection, the law enforcement agency shall confirm**
6 **to the requester receipt of the request.**

7 **(c) Within 14 days after receiving a request described in paragraph**
8 **(a) of this subsection, the law enforcement agency shall provide the**
9 **requester with:**

10 **(A) The name of the peace officer; or**

11 **(B) An explanation of why the identification could not be per-**
12 **formed.**

13 **(d) Notwithstanding paragraph (c) of this subsection, a law**
14 **enforcement agency must provide a requester with the name of the**
15 **peace officer when a full badge number is provided to the agency.**

16 **(3) As used in this section:**

17 **(a) “Law enforcement agency” has the meaning given that term in**
18 **ORS 181A.010.**

19 **(b) “Peace officer” has the meaning given that term in ORS 133.005,**
20 **except that “peace officer” does not include an authorized tribal police**
21 **officer as defined in ORS 181A.680.**

22 **SECTION 3. ORS 181A.410 is amended to read:**

23 **181A.410. (1) In accordance with any applicable provision of ORS chapter**
24 **183, to promote enforcement of law and fire services by improving the com-**
25 **petence of public safety personnel and their support staffs, and in consulta-**
26 **tion with the agencies for which the Board on Public Safety Standards and**
27 **Training and Department of Public Safety Standards and Training provide**
28 **standards, certification, accreditation and training:**

29 **(a) The department shall recommend, and the board shall establish by**
30 **rule, reasonable minimum standards of physical, emotional, intellectual and**
31 **moral fitness for public safety personnel and instructors.**

(b) The department shall recommend, and the board shall establish by rule, reasonable minimum training for all levels of professional development, basic through executive, including but not limited to courses or subjects for instruction and qualifications for public safety personnel and instructors. Training requirements shall be consistent with the funding available in the department's legislatively approved budget.

(c) The department, in consultation with the board, shall establish by rule a procedure or procedures to be used by law enforcement units, public or private safety agencies or the Oregon Youth Authority to determine whether public safety personnel meet minimum standards or have minimum training.

(d) Subject to such terms and conditions as the department may impose, the department shall certify instructors and public safety personnel, except youth correction officers, as being qualified under the rules established by the board.

(e) The department shall deny applications for training and deny, suspend and revoke certification in the manner provided in ORS 181A.630, 181A.640 and 181A.650 (1).

(f) The department shall cause inspection of standards and training for instructors and public safety personnel, except youth correction officers, to be made.

(g) The department may recommend, and the board may establish by rule, accreditation standards, levels and categories for mandated and nonmandated public safety personnel training or educational programs. The department and board, in consultation, may establish to what extent training or educational programs provided by an accredited university, college, community college or public safety agency may serve as equivalent to mandated training or as a prerequisite to mandated training. Programs offered by accredited universities, colleges or community colleges may be considered equivalent to mandated training only in academic areas.

(h) The department shall recommend, and the board shall establish by rule, an educational program that the board determines will be most effective

1 in reducing profiling, as defined in ORS 131.915, by police officers and re-
2 serve officers. The program must be required at all levels of training, in-
3 cluding basic training and advanced, leadership and continuing training.

4 (2) The department may:

5 (a) Contract or otherwise cooperate with any person or agency of gov-
6 ernment for the procurement of services or property;

7 (b) Accept gifts or grants of services or property;

8 (c) Establish fees for determining whether a training or educational pro-
9 gram meets the accreditation standards established under subsection (1)(g)
10 of this section;

11 (d) Maintain and furnish to law enforcement units and public and private
12 safety agencies information on applicants for appointment as instructors or
13 public safety personnel, except youth correction officers, in any part of the
14 state; and

15 (e) Establish fees to allow recovery of the full costs incurred in providing
16 services to private entities or in providing services as experts or expert
17 witnesses.

18 (3) The department, in consultation with the board, may:

19 (a) Upon the request of a law enforcement unit or public safety agency,
20 conduct surveys or aid cities and counties to conduct surveys through qual-
21 ified public or private agencies and assist in the implementation of any rec-
22 ommendations resulting from such surveys.

23 (b) Upon the request of law enforcement units or public safety agencies,
24 conduct studies and make recommendations concerning means by which re-
25 questing units can coordinate or combine their resources.

26 (c) Conduct and stimulate research to improve the police, fire service,
27 corrections, adult parole and probation, emergency medical dispatch and
28 telecommunicator professions.

29 (d) Provide grants from funds appropriated or available therefor, to law
30 enforcement units, public safety agencies, special districts, cities, counties
31 and private entities to carry out the provisions of this subsection.

1 (e) Provide optional training programs for persons who operate lockups.
2 The term “lockup” has the meaning given it in ORS 169.005.

3 (f) Provide optional training programs for public safety personnel and
4 their support staffs.

5 (g) Enter into agreements with federal, state or other governmental
6 agencies to provide training or other services in exchange for receiving
7 training, fees or services of generally equivalent value.

8 (h) Upon the request of a law enforcement unit or public safety agency
9 employing public safety personnel, except youth correction officers, grant an
10 officer, fire service professional, telecommunicator or emergency medical
11 dispatcher a multidiscipline certification consistent with the minimum re-
12 quirements adopted or approved by the board. Multidiscipline certification
13 authorizes an officer, fire service professional, telecommunicator or emer-
14 gency medical dispatcher to work in any of the disciplines for which the of-
15 ficer, fire service professional, telecommunicator or emergency medical
16 dispatcher is certified. The provisions of ORS 181A.500, 181A.520 and
17 181A.530 relating to lapse of certification do not apply to an officer or fire
18 service professional certified under this paragraph as long as the officer or
19 fire service professional maintains full-time employment in one of the certi-
20 fied disciplines and meets the training standards established by the board.

21 (i) Establish fees and guidelines for the use of the facilities of the train-
22 ing academy operated by the department and for nonmandated training pro-
23 vided to federal, state or other governmental agencies, private entities or
24 individuals.

25 (4) Pursuant to ORS chapter 183, the board, in consultation with the de-
26 partment, shall adopt rules necessary to carry out the board’s duties and
27 powers.

28 (5) Pursuant to ORS chapter 183, the department, in consultation with the
29 board, shall adopt rules necessary to carry out the department’s duties and
30 powers.

31 (6) For efficiency, board and department rules may be adopted jointly as

1 a single set of combined rules with the approval of the board and the de-
2 partment.

3 (7) The department shall obtain approval of the board before submitting
4 its legislative concepts, Emergency Board request or agency request budget
5 to the Oregon Department of Administrative Services.

6 (8) The Department of Public Safety Standards and Training shall develop
7 a training program for conducting investigations required under ORS
8 181A.790.

9 (9) **The department shall assign an identifying number to each po-**
10 **lice officer who is certified by the department.**

11 **SECTION 4. Section 1 of this 2020 second special session Act and the**
12 **amendments to ORS 181A.410 by section 3 of this 2020 second special**
13 **session Act become operative July 1, 2021.**

14 **SECTION 5. This 2020 second special session Act being necessary for**
15 **the immediate preservation of the public peace, health and safety, an**
16 **emergency is declared to exist, and this 2020 second special session Act**
17 **takes effect on its passage.**