

D R A F T

SUMMARY

Adds citizen review bodies designated by law enforcement agencies to definition of “criminal justice agency.” Allows citizen review bodies to access Law Enforcement Data System.

A BILL FOR AN ACT

Relating to criminal justice agencies; amending ORS 181A.010.

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

SECTION 1. ORS 181A.010 is amended to read:

181A.010. As used in ORS 181A.010 to 181A.350, unless the context requires otherwise:

(1) “Criminal justice agency” means:

(a) The Governor;

(b) Courts of criminal jurisdiction;

(c) The Attorney General;

(d) District attorneys, city attorneys with criminal prosecutorial functions, attorney employees of the office of public defense services and nonprofit public defender organizations established under contract with the Public Defense Services Commission;

(e) Law enforcement agencies;

(f) The Department of Corrections;

(g) The Oregon Youth Authority;

(h) The State Board of Parole and Post-Prison Supervision;

(i) The Department of Public Safety Standards and Training;

(j) The enforcement division of the Oregon Liquor Control Commission

1 in performing duties related to investigating and enforcing the criminal laws
2 of this state that the commission is charged to enforce;

3 **(k) Citizen review bodies designated by a law enforcement agency**
4 **in performing duties related to investigating allegations of officer**
5 **misconduct or reviewing police policies and practices;**

6 [(k)] (L) Regional information systems that share programs to track,
7 identify and remove cross-jurisdictional criminal and terrorist conspiracies;
8 and

9 [(L)] (m) Any other state or local agency with law enforcement authority.

10 (2) "Criminal offender information" includes records and related data as
11 to physical description and vital statistics, fingerprints received and com-
12 piled for purposes of identifying criminal offenders and alleged offenders,
13 records of arrests and the nature and disposition of criminal charges, in-
14 cluding sentencing, confinement, parole and release.

15 (3) "Department" means the Department of State Police established under
16 ORS 181A.015.

17 (4) "Deputy superintendent" means the Deputy Superintendent of State
18 Police appointed under ORS 181A.035.

19 (5) "Designated agency" means any state, county or municipal government
20 agency where Oregon criminal offender information is required to implement
21 a federal or state statute, executive order or administrative rule that ex-
22 pressly refers to criminal conduct and contains requirements or exclusions
23 expressly based on such conduct or for agency employment purposes, licens-
24 ing purposes or other demonstrated and legitimate needs when designated
25 by order of the Governor.

26 (6) "Disposition report" means a form or process prescribed or furnished
27 by the department, containing a description of the ultimate action taken
28 subsequent to an arrest.

29 (7) "Law enforcement agency" means:

30 (a) County sheriffs, municipal police departments, police departments es-
31 tablished by a university under ORS 352.121 or 353.125 and state police;

1 (b) Other police officers of this state or another state, including humane
2 special agents as defined in ORS 181A.345;

3 (c) A tribal government as defined in ORS 181A.680 that employs author-
4 ized tribal police officers as defined in ORS 181A.680; and

5 (d) Law enforcement agencies of the federal government.

6 (8) "State police" means the sworn members of the state police force ap-
7 pointed under ORS 181A.050.

8 (9) "Superintendent" means the Superintendent of State Police appointed
9 under ORS 181A.030.