

D R A F T

SUMMARY

Authorizes reserve officers sponsored by law enforcement unit to pay for training as police with cash and G.I. Bill education benefits. Requires Department of Public Safety Standards and Training to increase training class sizes by up to 25 percent as necessary to train sponsored reserve officers. Requires reserve officer to remain with law enforcement unit for at least three years after certification and allows Department of Public Safety Standards and Training to suspend or revoke certification if reserve officer fails to comply without good cause.

Requires Department of Public Safety Standards and Training to conduct study of impact of measure on state and local public safety budgets, recruitment of officers and maintenance of public safety and to submit report to interim committees of Legislative Assembly related to public safety.

Sunsets January 2, 2028.

A BILL FOR AN ACT

Relating to training of police officers; creating new provisions; and amending
ORS 181A.640 and 408.020.

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

SECTION 1. (1)(a) A law enforcement unit may sponsor a reserve officer of the law enforcement unit under this section for training as a police officer under ORS 181A.355 to 181A.670.

(b)(A) Notwithstanding ORS 181A.425, the Department of Public Safety Standards and Training shall increase class sizes as necessary to train reserve officers sponsored under this section.

(B) Notwithstanding subparagraph (A) of this paragraph, class sizes may not be increased by an amount greater than 25 percent of class sizes as of the effective date of this 2021 Act.

1 **(2)(a) A reserve officer sponsored under this section may pay for the**
2 **costs of courses required for training as a police officer with, in any**
3 **combination, cash and any state financial aid as provided in ORS**
4 **408.010 to 408.090 to which the reserve officer is entitled.**

5 **(b) Upon request, the Department of Veterans' Affairs shall provide**
6 **assistance to reserve officers in obtaining reimbursement for the costs**
7 **of courses required for training under this section.**

8 **(3) When a reserve officer sponsored under this section has com-**
9 **pleted the courses required for training as a police officer, the reserve**
10 **officer:**

11 **(a) Shall be designated by the reserve officer's law enforcement unit**
12 **as a certified reserve officer; and**

13 **(b) May be employed by any law enforcement unit in this state as**
14 **a police officer.**

15 **(4)(a) A reserve officer sponsored under this section who has com-**
16 **pleted the courses required for certification as a police officer must**
17 **remain with a law enforcement agency as a certified reserve officer**
18 **or a police officer for at least three years after the reserve officer's**
19 **date of certification.**

20 **(b) The certification of a reserve officer who does not comply with**
21 **paragraph (a) of this subsection may be suspended or revoked pursu-**
22 **ant to ORS 181A.630, 181A.640 and 181A.650 if the reserve officer fails**
23 **to comply without good cause, as defined by the Department of Public**
24 **Safety Standards and Training by rule.**

25 **SECTION 2.** **(1) Beginning on the date that is four years after the**
26 **effective date of this 2021 Act, the Department of Public Safety Stan-**
27 **dards and Training shall conduct a study of the impact of this 2021**
28 **Act on:**

29 **(a) The budgets of law enforcement units and the department;**

30 **(b) The recruitment of reserve officers, certified reserve officers and**
31 **police officers; and**

1 (c) **The maintenance of public safety.**

2 (2) **The department shall submit a report in the manner provided**
3 **in ORS 192.245, and may include recommendations for legislation, to**
4 **the interim committees of the Legislative Assembly related to public**
5 **safety no later than September 15, 2026.**

6 **SECTION 3.** ORS 181A.640, as amended by section 6, chapter 7, Oregon
7 Laws 2020 (first special session), is amended to read:

8 181A.640. (1) The Department of Public Safety Standards and Training
9 may deny the application for training, or deny, suspend or revoke the certi-
10 fication, of any public safety officer or instructor, except a youth correction
11 officer or fire service professional, after written notice and hearing consist-
12 ent with the provisions of ORS 181A.630, based upon a finding that:

13 (a) The public safety officer or instructor falsified any information sub-
14 mitted on the application for certification or on any documents submitted to
15 the Board on Public Safety Standards and Training or the department.

16 (b) The public safety officer or instructor has been convicted of a crime
17 or violation in this state or any other jurisdiction.

18 (c) The public safety officer or instructor does not meet the applicable
19 minimum standards, minimum training or the terms and conditions estab-
20 lished under ORS 181A.410 (1)(a) to (d).

21 (d) The public safety officer failed to comply with ORS 181A.790 (3)(b)
22 **or section 1 (4)(a) of this 2021 Act.**

23 (2) The department shall deny the application for training or deny, sus-
24 pend or revoke the certification of a police officer, after written notice and
25 hearing consistent with the provisions of ORS 181A.630, based upon a finding
26 that:

27 (a) The officer has a conviction for any offense designated under the law
28 of the jurisdiction where the conviction occurred as being punishable as a
29 felony or as a crime for which a maximum term of imprisonment of more
30 than one year may be imposed;

31 (b) The officer has a conviction in any jurisdiction for any offense in-

1 involving the unlawful use, possession, delivery or manufacture of a controlled
2 substance, narcotic or dangerous drug, except for offenses involving the use
3 or possession of marijuana;

4 (c) The officer has a conviction in any jurisdiction for any offense in-
5 volving domestic violence, as defined in ORS 135.230;

6 (d) The officer has a conviction in any jurisdiction for any offense in-
7 volving abuse, as defined in ORS 107.705, of a child who is under 18 years
8 of age and is a natural child, adopted child, stepchild, a child under the
9 guardianship of, or a child who regularly resides or formerly resided in the
10 same household as, the officer;

11 (e) The officer is a sex offender as defined in ORS 163A.005; or

12 (f) The officer has been discharged for cause from employment as a police
13 officer as a result of intentional conduct performed under the color of office
14 to:

15 (A) Obtain false confessions;

16 (B) Make false arrests;

17 (C) Create or use falsified evidence, including false testimony, or to de-
18 stroy evidence to create a false impression;

19 (D) Compel a person to abstain from doing, or to do, any act that the
20 person has a legal right to do or abstain from doing;

21 (E) Deprive, or attempt to deprive, another person or persons of their le-
22 gal rights; or

23 (F) Gain advantage for a public or private safety agency or for personal
24 gain.

25 (3) The department shall deny, suspend or revoke the certification of a
26 fire service professional, after written notice and hearing consistent with the
27 provisions of ORS 181A.630, based upon a finding that the fire service pro-
28 fessional has been convicted in this state of a crime listed in ORS 137.700
29 or in any other jurisdiction of a crime that, if committed in this state, would
30 constitute a crime listed in ORS 137.700.

31 (4) The department may deny, suspend or revoke the certification of any

1 fire service professional after written notice and hearing consistent with the
2 provisions of ORS 181A.630, based upon a finding:

3 (a) That the fire service professional falsified any information submitted
4 on the application for certification or on any documents submitted to the
5 board or the department; or

6 (b) Consistent with ORS 670.280, that the fire service professional is not
7 fit to receive or hold the certification as a result of conviction of a crime
8 in this state, or in any other jurisdiction, other than a crime described in
9 subsection (3) of this section.

10 (5) The department shall deny, suspend or revoke the certification of any
11 public safety officer or instructor, except a youth correction officer, after
12 written notice and hearing consistent with the provisions of ORS 181A.630,
13 based upon a finding that the public safety officer or instructor has been
14 discharged for cause from employment as a public safety officer.

15 (6) The department, in consultation with the board, shall adopt rules
16 specifying those crimes and violations for which a conviction requires the
17 denial, suspension or revocation of the certification of a public safety officer
18 or instructor.

19 (7) Notwithstanding the lapse, suspension, revocation or surrender of the
20 certification of a public safety officer or instructor, the department may:

21 (a) Proceed with any investigation of, or any action or disciplinary pro-
22 ceedings against, the public safety officer or instructor; or

23 (b) Revise or render void an order suspending or revoking the certifica-
24 tion.

25 (8) The department shall deny, suspend or revoke the accreditation of a
26 training or educational program or any course, subject, facility or instruc-
27 tion thereof if the program, course, subject, facility or instruction is not in
28 compliance with rules adopted or conditions prescribed under ORS 181A.410
29 (1)(g) or 181A.590 (3).

30 (9) When the department completes an investigation relating to a person's
31 qualifications for employment, training or certification under this section,

the department shall issue a report.

(10) In cases involving a proposed denial of training or certification of a public safety officer or instructor by the department, the department has jurisdiction to proceed with any action against the public safety officer or instructor notwithstanding a subsequent change in the employment status of the officer or instructor, if:

(a) The department has issued a notice of intent to deny training or certification; and

(b) The officer or instructor has requested a hearing.

SECTION 4. ORS 181A.640, as amended by section 6, chapter 7, Oregon Laws 2020 (first special session), and section 3 of this 2021 Act, is amended to read:

181A.640. (1) The Department of Public Safety Standards and Training may deny the application for training, or deny, suspend or revoke the certification, of any public safety officer or instructor, except a youth correction officer or fire service professional, after written notice and hearing consistent with the provisions of ORS 181A.630, based upon a finding that:

(a) The public safety officer or instructor falsified any information submitted on the application for certification or on any documents submitted to the Board on Public Safety Standards and Training or the department.

(b) The public safety officer or instructor has been convicted of a crime or violation in this state or any other jurisdiction.

(c) The public safety officer or instructor does not meet the applicable minimum standards, minimum training or the terms and conditions established under ORS 181A.410 (1)(a) to (d).

(d) The public safety officer failed to comply with ORS 181A.790 (3)(b) *[or section 1 (4)(a) of this 2021 Act]*.

(2) The department shall deny the application for training or deny, suspend or revoke the certification of a police officer, after written notice and hearing consistent with the provisions of ORS 181A.630, based upon a finding that:

1 (a) The officer has a conviction for any offense designated under the law
2 of the jurisdiction where the conviction occurred as being punishable as a
3 felony or as a crime for which a maximum term of imprisonment of more
4 than one year may be imposed;

5 (b) The officer has a conviction in any jurisdiction for any offense in-
6 volving the unlawful use, possession, delivery or manufacture of a controlled
7 substance, narcotic or dangerous drug, except for offenses involving the use
8 or possession of marijuana;

9 (c) The officer has a conviction in any jurisdiction for any offense in-
10 volving domestic violence, as defined in ORS 135.230;

11 (d) The officer has a conviction in any jurisdiction for any offense in-
12 volving abuse, as defined in ORS 107.705, of a child who is under 18 years
13 of age and is a natural child, adopted child, stepchild, a child under the
14 guardianship of, or a child who regularly resides or formerly resided in the
15 same household as, the officer;

16 (e) The officer is a sex offender as defined in ORS 163A.005; or

17 (f) The officer has been discharged for cause from employment as a police
18 officer as a result of intentional conduct performed under the color of office
19 to:

20 (A) Obtain false confessions;

21 (B) Make false arrests;

22 (C) Create or use falsified evidence, including false testimony, or to de-
23 stroy evidence to create a false impression;

24 (D) Compel a person to abstain from doing, or to do, any act that the
25 person has a legal right to do or abstain from doing;

26 (E) Deprive, or attempt to deprive, another person or persons of their le-
27 gal rights; or

28 (F) Gain advantage for a public or private safety agency or for personal
29 gain.

30 (3) The department shall deny, suspend or revoke the certification of a
31 fire service professional, after written notice and hearing consistent with the

1 provisions of ORS 181A.630, based upon a finding that the fire service pro-
2 fessional has been convicted in this state of a crime listed in ORS 137.700
3 or in any other jurisdiction of a crime that, if committed in this state, would
4 constitute a crime listed in ORS 137.700.

5 (4) The department may deny, suspend or revoke the certification of any
6 fire service professional after written notice and hearing consistent with the
7 provisions of ORS 181A.630, based upon a finding:

8 (a) That the fire service professional falsified any information submitted
9 on the application for certification or on any documents submitted to the
10 board or the department; or

11 (b) Consistent with ORS 670.280, that the fire service professional is not
12 fit to receive or hold the certification as a result of conviction of a crime
13 in this state, or in any other jurisdiction, other than a crime described in
14 subsection (3) of this section.

15 (5) The department shall deny, suspend or revoke the certification of any
16 public safety officer or instructor, except a youth correction officer, after
17 written notice and hearing consistent with the provisions of ORS 181A.630,
18 based upon a finding that the public safety officer or instructor has been
19 discharged for cause from employment as a public safety officer.

20 (6) The department, in consultation with the board, shall adopt rules
21 specifying those crimes and violations for which a conviction requires the
22 denial, suspension or revocation of the certification of a public safety officer
23 or instructor.

24 (7) Notwithstanding the lapse, suspension, revocation or surrender of the
25 certification of a public safety officer or instructor, the department may:

26 (a) Proceed with any investigation of, or any action or disciplinary pro-
27 ceedings against, the public safety officer or instructor; or

28 (b) Revise or render void an order suspending or revoking the certifica-
29 tion.

30 (8) The department shall deny, suspend or revoke the accreditation of a
31 training or educational program or any course, subject, facility or instruc-

tion thereof if the program, course, subject, facility or instruction is not in compliance with rules adopted or conditions prescribed under ORS 181A.410 (1)(g) or 181A.590 (3).

(9) When the department completes an investigation relating to a person's qualifications for employment, training or certification under this section, the department shall issue a report.

(10) In cases involving a proposed denial of training or certification of a public safety officer or instructor by the department, the department has jurisdiction to proceed with any action against the public safety officer or instructor notwithstanding a subsequent change in the employment status of the officer or instructor, if:

(a) The department has issued a notice of intent to deny training or certification; and

(b) The officer or instructor has requested a hearing.

SECTION 5. ORS 408.020 is amended to read:

408.020. (1) The Department of Veterans' Affairs may provide financial aid to beneficiaries who desire to pursue an approved course of study or professional training, **including training as a police officer under ORS 181A.355 to 181A.670 pursuant to section 1 of this 2021 Act**, in or in connection with any accredited state or other public school or accredited private school or accredited college consistent with ORS 408.010 to 408.090.

(2) Financial aid under this section may not exceed \$150 per month for each month of full-time study or training or \$100 per month for each month of part-time study or training.

(3) The total number of monthly payments under subsection (2) of this section may not exceed the total number of months served in the Armed Forces of the United States or 36, whichever is less.

(4) The Director of Veterans' Affairs may permit a beneficiary to attend a school or college outside of this state upon a satisfactory showing that the training required is not available in an accredited institution within this state.

(5) A beneficiary may not receive payments or benefits under ORS 408.010 to 408.090 at the same time that the beneficiary is receiving educational aid under any federal Act based upon prior service in the Armed Forces. Time spent by a person who applies for benefits under ORS 408.010 to 408.090 in the army specialized training program, the Navy V-12 program or other like training program may not be counted as service in the Armed Forces within the purview of ORS 408.010.

SECTION 6. ORS 408.020, as amended by section 5 of this 2021 Act, is amended to read:

408.020. (1) The Department of Veterans' Affairs may provide financial aid to beneficiaries who desire to pursue an approved course of study or professional training[, *including training as a police officer under ORS 181A.355 to 181A.670 pursuant to section 1 of this 2021 Act,*] in or in connection with any accredited state or other public school or accredited private school or accredited college consistent with ORS 408.010 to 408.090.

(2) Financial aid under this section may not exceed \$150 per month for each month of full-time study or training or \$100 per month for each month of part-time study or training.

(3) The total number of monthly payments under subsection (2) of this section may not exceed the total number of months served in the Armed Forces of the United States or 36, whichever is less.

(4) The Director of Veterans' Affairs may permit a beneficiary to attend a school or college outside of this state upon a satisfactory showing that the training required is not available in an accredited institution within this state.

(5) A beneficiary may not receive payments or benefits under ORS 408.010 to 408.090 at the same time that the beneficiary is receiving educational aid under any federal Act based upon prior service in the Armed Forces. Time spent by a person who applies for benefits under ORS 408.010 to 408.090 in the army specialized training program, the Navy V-12 program or other like training program may not be counted as service in the Armed Forces within

1 the purview of ORS 408.010.

2 **SECTION 7. (1) Section 1 of this 2021 Act is repealed on January 2,**
3 **2028.**

4 **(2) The amendments to ORS 181A.640 and 408.020 by sections 4 and**
5 **6 of this 2021 Act become operative on January 2, 2028.**

6 **(3) Section 2 of this 2021 Act is repealed on December 31, 2026.**

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