



STATEMENT RE: HB 4201
(ATTORNEY GENERAL INVESTIGATIONS OF USE OF FORCE)

To: Joint Committee on the First Special Session of 2020
From: Michael Selvaggio, Oregon Coalition of Police and Sheriffs
Date: June 24, 2020

Co-Chairs and Members of the Joint Committee:

For the record, my name is Michael Selvaggio, representing the Oregon Coalition of Police and Sheriffs (ORCOPS). I am speaking to HB 4201, which seeks to require the Attorney General to investigate all uses of deadly force (and other qualifying injuries) and determine whether prosecution is warranted.

ORCOPS members who exercise deadly force do so under the gravest of circumstances, and we acknowledge the necessity of a robust investigation following such action. As then-Representative Lew Frederick noted:

"We arm our officers for a reason, and sometimes deadly force is not only justified, it's necessary." (House Floor, 2/17/2016)

A significant concern we have regarding HB 4201 is that the office of Attorney General is an elected office. And unlike the office of District Attorney, it is a partisan office as well. While we have faith in the steady jurisprudence of Attorney General Rosenblum, we are as yet unaware of the relative sensibilities of the subsequent trustees of that office, and as such are unable to endorse their handling of such duties.

We further urge the Legislature to soberly consider the fiscal effect of requiring a state agency to take over the functions of 36 District Attorney offices in this budget environment.

May we suggest the following as an alternative policy:

- Require all uses of deadly force to be submitted to a Grand Jury to be conducted by the County prosecutor, and
- Require that Grand Jury transcripts are released to the public for transparency.