

## Enrolled

# House Bill 4201

Sponsored by Representatives KOTEK, ALONSO LEON, BYNUM, LAWRENCE SPENCE, MEEK, SALINAS, SANCHEZ, Senators FREDERICK, PROZANSKI; Representatives CLEM, DEXTER, FAHEY, HERNANDEZ, HOLVEY, KENY-GUYER, LEWIS, MITCHELL, NATHANSON, NERON, NOBLE, NOSSE, PILUSO, PRUSAK, REARDON, SCHOUTEN, SOLLMAN, WILDE, WILLIAMS, Senators FAGAN, HASS, WAGNER (at the request of Joint Committee on the First Special Session of 2020)

CHAPTER .....

### AN ACT

Relating to the use of force by police officers; and declaring an emergency.

Whereas Black Lives Matter; and

Whereas the lives of Kendra James and Jason Washington mattered; and

Whereas there is an inherent conflict of interest in asking local district attorneys to investigate the officers upon whom they rely to obtain convictions in criminal cases; and

Whereas internal investigations and local investigations have resulted in a lack of justice for communities of color, which breeds distrust of law enforcement and causes both direct and vicarious trauma upon those communities; and

Whereas no matter how late it may come, Black, Indigenous and People of Color communities deserve justice for the past, and also deserve justice for the present; and

Whereas countless protesters, members of the media, medics and legal observers across Oregon who have been exercising their First Amendment rights have been victimized by a failure of local civilian oversight to rein in abuses of the use of force by law enforcement; now, therefore,

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

**SECTION 1. (1) There is established the Joint Committee on Transparent Policing and Use of Force Reform.**

**(2) The joint committee consists of members of the Senate appointed by the President of the Senate and members of the House of Representatives appointed by the Speaker of the House of Representatives.**

**(3) The President of the Senate shall appoint one cochair for the joint committee and the Speaker of the House of Representatives shall appoint one cochair for the joint committee with the duties and powers necessary for the performance of the functions of the offices as the President and the Speaker determine.**

**(4) The joint committee has a continuing existence and may meet, act and conduct its business during sessions of the Legislative Assembly or any recess thereof and in the interim between sessions.**

**(5) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.**

**(6) Members of the joint committee shall receive an amount equal to that authorized under ORS 171.072 from funds appropriated to the Legislative Assembly for each day spent**

in the performance of their duties as members of the joint committee or any subcommittee thereof in lieu of reimbursement for in-state travel expenses. However, when engaged in out-of-state travel, members shall be entitled to receive their actual and necessary expenses therefor in lieu of the amount authorized by this subsection. Payment shall be made from funds appropriated to the Legislative Assembly.

(7) The joint committee may not transact business unless a quorum is present. A quorum consists of a majority of joint committee members from the House of Representatives and a majority of joint committee members from the Senate.

(8) Action by the joint committee requires the affirmative vote of a majority of joint committee members from the House of Representatives and a majority of joint committee members from the Senate.

(9) The joint committee may adopt rules necessary for the operation of the joint committee.

(10) The Legislative Policy and Research Director may employ persons necessary for the performance of the functions of the joint committee. The Legislative Policy and Research Director shall fix the duties and amounts of compensation of the employees. The joint committee shall use the services of continuing legislative staff, without employing additional persons, to the greatest extent practicable.

(11) All agencies of state government, as defined in ORS 174.111, are directed to assist the joint committee in the performance of the duties of the joint committee and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the joint committee consider necessary to perform their duties.

**SECTION 2.** The Joint Committee on Transparent Policing and Use of Force Reform shall:

(1) Examine policies that improve transparency in investigations into and complaints regarding the use of force by police officers, and increase transparency in police protocols and processes to build public trust in policing;

(2) Examine policies that reduce the prevalence of serious physical injury or death caused by the use of force by police officers by analyzing the use of force, the authorization of the use of force under state law and the disparate impact of the use of force on communities of color;

(3) Determine the most appropriate policy for independent review of the use of deadly force by police officers, including an analysis of procedures and policies used in other states;

(4) Examine any other policies that increase transparency in policing and reform the use of force by police officers; and

(5) Make recommendations for legislation to the committees of the Legislative Assembly related to the judiciary on or before December 31, 2020.

**SECTION 3.** Sections 1 and 2 of this 2020 special session Act are repealed on December 31, 2020.

**SECTION 4.** This 2020 special session Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2020 special session Act takes effect on its passage.

---

**Passed by House June 26, 2020**

.....  
Timothy G. Sekerak, Chief Clerk of House

.....  
Tina Kotek, Speaker of House

**Passed by Senate June 26, 2020**

.....  
Peter Courtney, President of Senate

**Received by Governor:**

.....M.,....., 2020

**Approved:**

.....M.,....., 2020

.....  
Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2020

.....  
Bev Clarno, Secretary of State