

HOUSE AMENDMENTS TO HOUSE BILL 4201

By JOINT COMMITTEE ON THE FIRST SPECIAL SESSION OF 2020

June 26

1 On page 1 of the printed bill, line 2, after “officers;” delete the rest of the line and insert “and
2 declaring an emergency.”.

3 Delete line 3 and insert:

4 “Whereas Black Lives Matter; and

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

6 “Whereas there is an inherent conflict of interest in asking local district attorneys to investi-
7 gate the officers upon whom they rely to obtain convictions in criminal cases; and

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

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

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

16 Delete lines 5 through 29 and pages 2 through 7 and insert:

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

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

22 “**(3) The President of the Senate shall appoint one cochair for the joint committee and**
23 **the Speaker of the House of Representatives shall appoint one cochair for the joint commit-**
24 **tee with the duties and powers necessary for the performance of the functions of the offices**
25 **as the President and the Speaker determine.**

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

29 “**(5) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
30 **ment to become immediately effective.**

31 “**(6) Members of the joint committee shall receive an amount equal to that authorized**
32 **under ORS 171.072 from funds appropriated to the Legislative Assembly for each day spent**
33 **in the performance of their duties as members of the joint committee or any subcommittee**
34 **thereof in lieu of reimbursement for in-state travel expenses. However, when engaged in**
35 **out-of-state travel, members shall be entitled to receive their actual and necessary expenses**

1 therefor in lieu of the amount authorized by this subsection. Payment shall be made from
2 funds appropriated to the Legislative Assembly.

3 “(7) The joint committee may not transact business unless a quorum is present. A quo-
4 rum consists of a majority of joint committee members from the House of Representatives
5 and a majority of joint committee members from the Senate.

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

9 “(9) The joint committee may adopt rules necessary for the operation of the joint com-
10 mittee.

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

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

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

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

25 “(2) Examine policies that reduce the prevalence of serious physical injury or death
26 caused by the use of force by police officers by analyzing the use of force, the authorization
27 of the use of force under state law and the disparate impact of the use of force on commu-
28 nities of color;

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

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

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

35 “**SECTION 3.** Sections 1 and 2 of this 2020 special session Act are repealed on December
36 31, 2020.

37 “**SECTION 4.** This 2020 special session Act being necessary for the immediate preserva-
38 tion of the public peace, health and safety, an emergency is declared to exist, and this 2020
39 special session Act takes effect on its passage.”.