

HB 2931 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 1/27

WHAT THE MEASURE DOES:

Requires person who arrests another person to ensure arrested person receives a medical assessment by or under the direction of a licensed medical professional at the time of arrest or as soon as practicable after arrest.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon revised statute 133.235 governs procedures for arrests by peace officers. The statute establishes an officer's duty to inform the person to be arrested of the officer's authority and reason for the arrest. If the arrest is under a warrant, a peace officer shall show the warrant, unless the officer encounters physical resistance, flight or other factors rendering this procedure impracticable, in which case the arresting officer shall inform the arrested person and show the warrant, if any, as soon as practicable. In order to make an arrest, a peace officer may use physical force as justifiable under ORS 161.245. There is no express duty for a peace officer or a private person, who places another under arrest, to provide a medical assessment of the person placed under arrest.

HB 2931 would require a person or peace officer to provide a medical assessment of any person placed under arrest.