

FISCAL IMPACT OF PROPOSED LEGISLATION

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

Measure: HB 2929 - 2

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Libby Chamberlin
Reviewed by: Ben Ruef, John Borden, Julie Neburka
Date: March 24, 2021

Measure Description:

Modifies police officer's duty to report misconduct.

Government Unit(s) Affected:

Bureau of Labor and Industries (BOLI), Oregon State Police (OSP), Oregon Judicial Department (OJD), Department of Justice (DOJ), Department of Public Safety Standards and Training (DPSST)

Summary of Fiscal Impact:

Costs related to the measure are anticipated to be minimal - See explanatory analysis.

Analysis:

HB 2929 with the -2 amendment creates a process for officer report of police misconduct. The measure specifies to whom a report of misconduct should be made. The measure also specifies the timeframe for reporting and investigating reports of police officer misconduct. The measure requires that The Department of Public Safety Standards and Training (DPSST) establish and maintain a form and database for reports of police officer misconduct, and clarifies that if a report is made directly to DPSST they are required to forward that report to the law enforcement agency that employs the officer.

Currently, the duty to intervene requires that any officer act to prevent or stop misconduct by another officer. As part of this duty to intervene, officers have a duty to report misconduct as soon as practicable, but no later than 72 hours after witnessing the misconduct. HB 2929 specifies the mechanics of that reporting requirement as well as acceptable entities to whom the officer may report incidents of misconduct.

The Department of Public Safety Standards and Training (DPSST) anticipates a fiscal impact from this measure but it is indeterminate at this time. Under this measure, DPSST is required to receive reports of misconduct resulting from the duty to intervene as well as create a database for reports of misconduct resulting from the duty to intervene.

DPSST believes that its current complaint process and complaint form would be sufficient to receive reports of misconduct and wouldn't have a fiscal impact. The impact of the creation of an additional database would depend on the amount of information received, as well as what type of information is expected to be published.

The Department of State Police (OSP) anticipates this measure would have a minimal fiscal impact to the agency in order to update the policies that direct the proper procedures for reporting police officer misconduct. Should OSP experience an increase in workload that cannot be absorbed within current resources, the agency will seek additional resources at the next available Executive Board Session or Legislative Session.

The Department of Justice (DOJ) and the Bureau of Labor and Industries (BOLI) do not anticipate a fiscal impact from this measure. Cities and counties also do not anticipate a fiscal impact from this measure.