

**FISCAL IMPACT OF PROPOSED LEGISLATION**

Measure: HB 2936

81st Oregon Legislative Assembly – 2021 Regular Session  
Legislative Fiscal Office*Only Impacts on Original or Engrossed  
Versions are Considered Official*Prepared by: Libby Chamberlin  
Reviewed by: Ben Ruef, John Borden, Julie Neburka  
Date: March 17, 2021**Measure Description:**

Requires Department of Public Safety Standards and Training to investigate person's character before accepting person for training and certification as police officer or reserve officer.

**Government Unit(s) Affected:**

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

**Summary of Fiscal Impact:**

Costs related to the measure may require budgetary action - See analysis.

**Summary of Expenditure Impact:**

Agency- Fund Type	2021-23 Biennium	2023-25 Biennium
DPSST - Other Funds		
Personal Services	2,028,510	2,082,510
Services and Supplies	1,000,000	1,000,000
<b>Total Funds</b>	<b>\$3,028,510</b>	<b>\$3,082,510</b>
Positions		
FTE		

\*Estimate is for 10 FTE, but could be higher. 10 FTE is DPSST's minimum estimated number of FTE needed

**Summary of Revenue Impact:****Analysis:**

HB 2936 requires the Department of Public Safety Standards and Training (DPSST) to investigate police recruits' character and prohibits officers from participating in white supremacist or militant groups. The measure also directs the Bureau of Labor and Industries to establish a hotline for reports of officer misconduct and directs the Governor to convene a task force to develop a plan for removing officers who are found to have discriminatory sentiments that would violate the rights of protected classes.

Currently, per OAR 259-008-0015, public safety agencies must conduct a background investigation on all individuals being considered for employment as public safety professionals (including police and reserve officers). This background check includes criminal history and arrests, Department of Motor Vehicle records, drug and alcohol use, education verification, employment history, military history verification, personal and professional references, a personal interview, a check of DPSST records, residential history, work eligibility, and records checks, which may include public records, open sources or social media, financial information as permitted by law.

This measure requires that as part of this background check, DPSST also conduct a psychiatric evaluation, racial bias and sympathy test, investigate a potential recruit's financial dealings, and interview at least three references. It also directs DPSST to report evidence that an officer engaged in racist behavior to the appropriate district attorney within 14 days of obtaining that evidence.

This measure requires budgetary action for the allocation of General Fund resources and position establishment.

#### The Department of Public Safety Standards and Training (DPSST)

The Department of Public Safety Standards and Training estimates that transferring all or part of the background investigation responsibilities for newly hired police and reserve officers from the employing agency to the DPSST would result in significant fiscal impacts to the agency.

DPSST notes that the fiscal impact may be higher or lower if the measure is intended to replace, duplicate, or supplement the current background investigations in practice per OAR 259-008-0015. DPSST's projected fiscal impact will depend on whether the agency must conduct separate investigations prior to an officer being allowed entry into training and again at the time of certification, and on whether DPSST must investigate recruits prior to entry into the Basic Police course, or all DPSST trainings

DPSST anticipates needing a minimum of 10 additional compliance positions in order to investigate new hires, as well as legal fees and administrative costs. In total, DPSST estimates a \$3,082,510 fiscal impact:

- Personal Services (10 CS3 positions, 10.00FTE): \$2,082,510
- Services and Supplies: 10 cases per year x \$50,000 per case = \$500,000 per year, total \$1,000,000 per biennium.

#### Bureau of Labor and Industry (BOLI)

The Bureau of Labor and Industries anticipates a fiscal impact from this measure due to costs associated with establishing and maintaining a hotline for reporting law enforcement officer misconduct, but total cost is indeterminate at this time due, in part, to the unknown volume of calls the hotline would receive. The measure does not provide guidance on BOLI's reporting or investigative responsibility, both of which would have associated costs.

The Oregon State Police (OSP) anticipates a minimal fiscal impact from this measure, but should the agency incur unanticipated workload due to the measure that could not be absorbed within current resources the agency will seek additional staffing and/or funding at the next available Emergency Board or Legislative Session.

The Department of Justice (DOJ) does not anticipate a fiscal impact from this measure.