

HB 2162 A STAFF MEASURE SUMMARY

House Committee On Judiciary

Action Date: 04/06/21

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 10-0-0-0

Yeas: 10 - Bynum, Dexter, Helm, Kropf, Lewis, Morgan, Noble, Power, Wallan, Wilde

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Channa Newell, Counsel

Meeting Dates: 3/8, 3/22, 3/31, 4/6

WHAT THE MEASURE DOES:

Requires Department of Public Safety Standards and Training (DPSST) to designate one or more accrediting body for law enforcement agencies with 35 or more sworn officers through rule. Requires accreditation of agencies with 100 or more sworn officers no later than July 1, 2025, and agencies with 35 or more sworn officers by July 1, 2026. Adds two public members to Board of Public Safety Standards and Training, including at least one member who is part of a historically underrepresented or marginalized community. Requires one public member be recommended by the President of the Senate and one to be recommended by the Speaker of the House. Adds additional member of the public to Police Policy Committee and requires one public member to be a member of a marginalized or historically underrepresented community. Requires police officers to undergo equity training to obtain and maintain licensure. Requires statewide equity training of all police officers. Requires DPSST to revoke or suspend an officer's certification upon investigation and finding that officer engaged in policing indicative of bias or discriminatory intent against a protected group, use of excessive or unjustified force, or abuse of lawful authority. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Efforts of Governor's Public Safety Training and Standards Task Force
- Examples of benefits and challenges of accreditation
- Goal of increasing range of voices in policing decision-making

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Law enforcement agencies in Oregon are not required to obtain accreditation but do have oversight of officer certification and training through the Department of Public Safety Standards and Training (DPSST). DPSST has oversight from the Board of Public Safety Standards and Training, which has 24 members, including one member of the public. The Board also has five policy Committees: Corrections Policy Committee; Fire Policy Committee; Police Policy Committee; Telecommunications Policy Committee; and the Private Security Policy Committee. Each of the policy committees has one member representing the public. Among DPSST's authorities are revocation and suspension of professional licensures for certain actions. DPSST must revoke or suspend the certification of a police officer who is convicted of a felony, convictions resulting in the officer reporting as a sex offender, and offenses involving drugs, domestic violence, or abuse. Intentional conduct under color of law to obtain false confessions, make false arrests, falsify evidence or testimony, deprive another of their rights, or to gain an advantage are also subject to suspension or revocation.

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House Bill 2162 A requires all law enforcement agencies with 35 or more sworn officers to be accredited through a body designated by DPSST no later than July 1, 2026. For agencies with 100 or more sworn officers, accreditation must be done by July 1, 2025. The measure also increases the number of members representing the public on the Board of Public Safety Standards and Training and the Police Policy Committee and requires that at least one member of the Board or the Committee be part of a marginalized or historically underrepresented community. Additionally, the measure makes unjustified or excessive use of force, abuse of lawful authority, or policing indicative of bias or discriminatory intent against a person because of a perceived trait, disciplinary actions subject to mandatory revocation or suspension of a police officer's certification.