

House Bill 2932

Sponsored by Representative BYNUM (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Oregon Criminal Justice Commission to establish statewide database of reports of use of physical force by peace officers and corrections officers. Requires commission to report annually to appropriate committee or interim committee of Legislative Assembly on reports.

Requires law enforcement units to report on use or threat of physical force, and deaths of persons in custody, to commission.

A BILL FOR AN ACT

1
2 Relating to the use of physical force.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Corrections officer" has the meaning given that term in ORS 181A.355.**

6 (b) **"Law enforcement unit" has the meaning given that term in ORS 181A.355.**

7 (c) **"Peace officer" has the meaning given that term in ORS 161.015.**

8 (2) **The Oregon Criminal Justice Commission shall establish a statewide database of re-**
9 **ports of the use of physical force by peace officers and corrections officers. The database**
10 **must be searchable and available to the public. The commission shall substitute an individual**
11 **randomized number for an officer's certification number, unless the report has resulted in**
12 **civil litigation against a law enforcement unit.**

13 (3) **When a peace officer or corrections officer uses physical force against an individual**
14 **or threatens to use physical force against an individual, or when a death occurs while an**
15 **individual is in the custody of a law enforcement unit, the law enforcement unit that employs**
16 **the officer shall report to the commission:**

17 (a) **The following information about each officer who used or threatened to use physical**
18 **force:**

19 (A) **Certification number.**

20 (B) **Race.**

21 (C) **Gender.**

22 (D) **Age.**

23 (E) **Height and weight.**

24 (F) **Years of experience.**

25 (G) **Whether the officer is a full-time or part-time employee.**

26 (H) **Whether the officer was readily identifiable.**

27 (b) **The certification numbers of all officers present at the incident who did not use or**
28 **threaten physical force.**

29 (c) **The date, time and location of the use or threat of physical force.**

30 (d) **The perceived race, gender, age, religion, height and weight of the person against**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **whom physical force was used or threatened.**

2 **(e) A description of the physical force used or threatened.**

3 **(f) A description of the severity of the physical force used or threatened.**

4 **(g) A description of any injuries sustained by officers and persons against whom physical**
5 **force was used.**

6 **(h) Whether the officer who used or threatened physical force was on duty.**

7 **(i) Whether the officer who used or threatened physical force used a weapon or dis-**
8 **charged a firearm.**

9 **(j) Whether the use or threat of physical force was investigated by the law enforcement**
10 **unit or the Department of Public Safety Standards and Training, and the outcome of the**
11 **investigation.**

12 **(k) Whether a citizen complained about the use or threat of physical force, and the out-**
13 **come of the complaint.**

14 **(L) Whether the law enforcement unit initiated the contact that ended in the use or**
15 **threat of physical force.**

16 **(m) Whether officers were ambushed.**

17 **(n) Whether a supervisor was present during the use or threat of physical force.**

18 **(o) The reason for the presence of officers at the incident that ended in the use or threat**
19 **of physical force.**

20 **(p) Whether the person against whom physical force was used or threatened resisted.**

21 **(q) A description of any threats against officers or others made by the person against**
22 **whom physical force was used or threatened.**

23 **(r) Whether the person against whom physical force was used or threatened appeared to**
24 **be impaired.**

25 **(4) A law enforcement unit may not report to the commission the name, address, Social**
26 **Security number or other unique personally identifiable information of a person against**
27 **whom physical force was used or threatened.**

28 **(5) A law enforcement unit shall submit all reports under subsection (3) of this section**
29 **pertaining to a riot within five business days after the riot.**

30 **(6) The Oregon Criminal Justice Commission shall report annually to an appropriate**
31 **committee or interim committee of the Legislative Assembly on the reports received under**
32 **this section, aggregated and broken down by law enforcement unit.**

33