

B-Engrossed
Senate Bill 204

Ordered by the House June 3
Including Senate Amendments dated April 1 and House Amendments
dated June 3

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary for City of Portland)

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.

Adds civilian **or community** oversight **boards**, agencies and review bodies designated by municipalities or law enforcement agencies to definition of "criminal justice agency." Allows civilian **or community** oversight **boards**, agencies and review bodies to access Law Enforcement Data System.

A BILL FOR AN ACT

1
2 Relating to criminal justice agencies; amending ORS 181A.010.

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

4 **SECTION 1.** ORS 181A.010 is amended to read:

5 181A.010. As used in ORS 181A.010 to 181A.350, unless the context requires otherwise:

6 (1) "Criminal justice agency" means:

7 (a) The Governor;

8 (b) Courts of criminal jurisdiction;

9 (c) The Attorney General;

10 (d) District attorneys, city attorneys with criminal prosecutorial functions, attorney employees
11 of the office of public defense services and nonprofit public defender organizations established under
12 contract with the Public Defense Services Commission;

13 (e) Law enforcement agencies;

14 (f) The Department of Corrections;

15 (g) The Oregon Youth Authority;

16 (h) The State Board of Parole and Post-Prison Supervision;

17 (i) The Department of Public Safety Standards and Training;

18 (j) The enforcement division of the Oregon Liquor Control Commission in performing duties re-
19 lated to investigating and enforcing the criminal laws of this state that the commission is charged
20 to enforce;

21 **(k) Civilian or community oversight boards, agencies or review bodies designated by a**
22 **municipality or a law enforcement agency in performing duties related to investigating**
23 **allegations of officer misconduct or reviewing police policies and practices;**

24 *[(k)]* **(L)** Regional information systems that share programs to track, identify and remove cross-
25 jurisdictional criminal and terrorist conspiracies; and

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 ~~[(L)]~~ (m) Any other state or local agency with law enforcement authority.
- 2 (2) “Criminal offender information” includes records and related data as to physical description
3 and vital statistics, fingerprints received and compiled for purposes of identifying criminal offenders
4 and alleged offenders, records of arrests and the nature and disposition of criminal charges, includ-
5 ing sentencing, confinement, parole and release.
- 6 (3) “Department” means the Department of State Police established under ORS 181A.015.
- 7 (4) “Deputy superintendent” means the Deputy Superintendent of State Police appointed under
8 ORS 181A.035.
- 9 (5) “Designated agency” means any state, county or municipal government agency where Oregon
10 criminal offender information is required to implement a federal or state statute, executive order
11 or administrative rule that expressly refers to criminal conduct and contains requirements or ex-
12 clusions expressly based on such conduct or for agency employment purposes, licensing purposes or
13 other demonstrated and legitimate needs when designated by order of the Governor.
- 14 (6) “Disposition report” means a form or process prescribed or furnished by the department,
15 containing a description of the ultimate action taken subsequent to an arrest.
- 16 (7) “Law enforcement agency” means:
- 17 (a) County sheriffs, municipal police departments, police departments established by a university
18 under ORS 352.121 or 353.125 and state police;
- 19 (b) Other police officers of this state or another state, including humane special agents as de-
20 fined in ORS 181A.345;
- 21 (c) A tribal government as defined in ORS 181A.680 that employs authorized tribal police officers
22 as defined in ORS 181A.680; and
- 23 (d) Law enforcement agencies of the federal government.
- 24 (8) “State police” means the sworn members of the state police force appointed under ORS
25 181A.050.
- 26 (9) “Superintendent” means the Superintendent of State Police appointed under ORS 181A.030.
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