HB 2932-9 (LC 763) 3/15/21 (MNJ/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY

## PROPOSED AMENDMENTS TO HOUSE BILL 2932

- On page 1 of the printed bill, delete lines 4 through 30 and delete page 2 and insert:
- 3 "SECTION 1. (1) As used in this section:

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- "(a) 'Law enforcement unit' has the meaning given that term in ORS 181A.355, except that 'law enforcement unit' does not include a tribal government.
- "(b) 'Local correctional facility' has the meaning given that term in ORS 169.005.
- "(c) 'Peace officer' has the meaning given that term in ORS 161.015, except that 'peace officer' does not include an authorized tribal police officer as defined in ORS 181A.680.
  - "(2) The Oregon Criminal Justice Commission shall establish a statewide database of reports of the use of physical force by peace officers and deaths in custody of law enforcement units. The database must be searchable and available to the public.
- "(3) For each instance in which a peace officer employed by a law enforcement unit uses physical force against an individual, or when a death occurs while an individual is in the custody of a law enforcement unit, the law enforcement unit shall report to the commission and to the Federal Bureau of Investigation as soon as practicable, but no later than 72 hours after the use of force or death in custody:

- "(a) The following information about each officer who used physical
- 2 force:

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- 3 "(A) Name.
- 4 "(B) Certification number.
- 5 **"(C) Race.**
- 6 "(D) Gender.
- 7 **"(E) Age.**
- 8 "(F) Height and weight.
- 9 "(G) Years of experience.
- 10 "(H) Whether the officer is a full-time or part-time employee.
- "(I) Whether the officer was readily identifiable.
- 12 "(b) The certification numbers of all officers present at the incident 13 who did not use physical force.
- 14 "(c) The date, time and location of the use of physical force.
- 15 "(d) The perceived race, gender, age, religion, height and weight of 16 the person against whom physical force was used.
- "(e) A description of the physical force used.
- 18 "(f) A description of the severity of the physical force used.
- 19 "(g) A description of any injuries sustained by officers and persons 20 against whom physical force was used.
  - "(h) Whether the officer who used physical force was on duty.
- 22 "(i) Whether the officer who used physical force used a weapon or 23 discharged a firearm.
- "(j) Whether the use of physical force was investigated by the law enforcement unit or the Department of Public Safety Standards and Training, and the outcome of the investigation.
- 27 "(k) Whether a citizen complained about the use of physical force, 28 and the outcome of the complaint.
- 29 "(L) Whether the law enforcement unit initiated the contact that 30 ended in the use of physical force.

"(m) Whether officers were ambushed.

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- "(n) Whether a supervisor was present during the use of physical force.
- "(o) The reason for the presence of officers at the incident that ended in the use of physical force.
- 6 "(p) Whether the person against whom physical force was used re-7 sisted.
- 8 "(q) A description of any threats against officers or others made 9 by the person against whom physical force was used.
  - "(r) Whether the person against whom physical force was used appeared to be impaired.
  - "(4) A law enforcement unit may not report to the commission the name, address, Social Security number or other unique personally identifiable information of a person against whom physical force was used.
  - "(5) At least once each calendar quarter, the Department of Corrections and a local correctional facility shall submit to the commission data related to deaths in custody collected under and on forms established by the Bureau of Justice Statistics of the United States Department of Justice in accordance with the federal Death in Custody Reporting Act (P.L. 113-242).
  - "(6) The Oregon Criminal Justice Commission shall report annually to an appropriate committee or interim committee of the Legislative Assembly on the reports received under this section, aggregated and broken down by law enforcement unit."

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