



OREGON ASSOCIATION CHIEFS OF POLICE
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OREGON STATE SHERIFFS' ASSOCIATION
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PO Box 7468 Salem OR 97303

To: Members of the Senate Committee on Judiciary and Measure 110 Implementation

From: Deschutes County Sheriff Shane Nelson
Oregon State Sheriffs' Association/Oregon Association Chiefs of Police

Date: May 11, 2021

Re: Testimony in support of HB 2936-A –Law Enforcement Speech and Hiring Tools

Chair Prozanski and members of the committee,

On behalf of the Oregon State Sheriffs' Association (OSSA) and the Oregon Association Chiefs of Police OACP, thank you for the opportunity to provide testimony in support of HB 2936-A. This measure recognizes the importance of providing law enforcement agencies with the hiring tools necessary to fully vet candidates for law enforcement positions. The significant authority and responsibility we entrust our law enforcement officers with elevates the importance of rigorous background investigations and good hiring decisions. We believe the hiring tools and policy requirements included in HB 2936-A are in keeping with Oregon law enforcement's already high standards for police officer qualification and will increase community confidence in our hiring process and officer policies around speech.

HB 2936-A requires:

- A pre-employment background to include a description of the investigation, information about: a psychiatric or psychological evaluation of the applicant and an evaluator's assessment of the applicant's tendencies, feelings, and opinions on diverse cultures, races, and ethnicities and differing social, political, economic, and life statuses, investigation into applicant's finances; and identification of at least three references provided by the applicant and interviewed by law enforcement unit.
- A law enforcement agency to adopt policies setting standards for speech and expression by officers in and out of course and scope of employment. Applies to all forms of speech and expression. Specifies that policies must not violate constitutional rights to free speech and expression.
- Previous employers to provide employment information to law enforcement units for the purpose of hiring public safety officers when the request is made in writing and accompanied by a notarized authorization of applicant releasing employer from liability.

HB 2936-A authorizes:

- A law enforcement unit to bring an action for an injunction in circuit court to compel an employer to disclose employment information under this section.
- Limits disclosure of employment information received by a law enforcement agency only to other law enforcement agencies for investigative leads and shall independently verify the information.
- Exempts law enforcement units from prohibition on employer access to personal social media accounts for purposes of hiring.

OSSA and OACP would like to encourage the passage of this measure and asks for the committee's support. Thank you for the opportunity to provide testimony today.