



KEIZER POLICE DEPARTMENT

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Oregon State Legislature
Senate Committee on Judiciary and Ballot Measure 110 Implementation

May 12, 2021

Dear Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee:

RE: HB 2929-A4

I am writing to encourage your support for the package of 16 police reform bills that came to you from House Judiciary. However, I encourage you *not* to support the A4 amendment to HB 2929.

Much of the language in the amendment appeared in HB 3145 as it was introduced. We worked diligently and in good faith with House Judiciary to develop the A-Engrossed version.

The language in the A4 amendment then and now has structural problems. Here are four examples:

Page 1, Lines 13-14. It's unclear who may task "a citizen review body or any other entity" with evaluating a complaint.

Page 2, Lines 18-20. References to rules and "administrative departmental rules" produces ambiguity. It's usual in these discussions that the term *rules* refers to DPSST OARs. In contrast, typical law enforcement agency parlance for their internal rules is *policies*.

Page 3, Line 25. The use of "intemperate behavior" introduces a novel and, frankly, ambiguous term. *Intemperate* refers to a lack of self-control. Certainly, peace officers ought to have self-control, but juxtaposing *intemperate behavior* against "deception, misrepresentation, dishonesty" causing one to wonder if, at best, there's a category error.

Page 1, Line 9. Finally, seemingly contrary to what its proponents expect, the amendment's reach is narrow, limited to misconduct as described by HB 4205 (2020S1) and HB 2929 A-Engrossed. That is, it only applies to investigations of unjustified or excessive force, sexual harassment or misconduct, discrimination, or a crime.

If, in order to expand the reach, lines 13 and 14 were simply added back in to HB 2929 A-Engrossed, we find ourselves captured again by the morass of HB 4205. For example, 259-008-0010(7)(b)(A)(i) states that an officer's "[m]onocular vision must be at least 20/30 (Snellen) corrected in each eye and not worse than 20/100 (Snellen) uncorrected in either eye." I realize that it's usually bad form to use what's extreme to argue one's point, but this example does demonstrate the potential disconnect—operationally, anyway—between DPSST rules (per ORS 181A.410)—and local agency policies.

The language in the A4 amendment was first introduced in another house bill at the request of the Oregon Innocence Project and the Oregon Justice Resource Center. I have worked closely with OIP and with Bobbin Singh of OJRC and share many of their values. Nevertheless, again, I encourage you not to adopt the amendment and instead to allow the chiefs and sheriffs to work with its proponents on our shared goal of transparency in policing and to provide it in a way that works.

Thank you, sincerely,

A handwritten signature in black ink, appearing to read "John Teague", with a long, sweeping horizontal line extending to the right.

John Teague
Chief of Police