

HB 4008 -4, -5, -6, -8, -10 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Whitney Perez, LPRO Analyst

Meeting Dates: 2/10, 2/11, 2/11

WHAT THE MEASURE DOES:

Directs Oregon Criminal Justice Commission to study effects of different sentencing types on rates of recidivism and provide results of study to appropriate interim committees of the Legislative Assembly no later than December 31, 2022. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

- 4 Replaces measure. Directs Department of Public Safety Standards and Training (DPSST) to publish online suspension or revocation of certification or discipline involving economic sanctions of police officers within the 30-years prior to January 1, 2022 if DPSST has access to this information and this information would otherwise be subject to publication by ORS 181A.684. Authorizes Commission on Statewide Law Enforcement Standards of Conduct and Discipline to hire executive director and support staff. Sunsets January 2, 2024.
- 5 Replaces measure. Requires chiefs and sheriffs act in conformance with all laws and internal policies of their office or agency.
- 6 Replaces measure. Authorizes Commission on Statewide Law Enforcement Standards of Conduct and Discipline to hire executive director and support staff.
- 8 Replaces measure. Modifies definition of chemical incapacitant, kinetic impact projectile, and law enforcement agency. Defines "shove" and "stun grenade." Specifies when law enforcement may use physical force. Specifies use of self-defense by person is not provocation justifying law enforcement use of force. Prohibits law enforcement agency from using or possessing stun grenades with projectile or chemical incapacitant payloads. Prohibits law enforcement agency from using or possessing chemical incapacitants with pyrotechnic ignition system or that deploy through smoke. Prohibits law enforcement agency from using or possessing chemical incapacitant munitions or projectiles that may be launched or shot. Prohibits law enforcement agency from using or possessing semiautomatic or automatic kinetic impact projectile weapons. Specifies when law enforcement agency may use stun grenades, chemical incapacitants, and kinetic impact projectiles. Permits electronically amplified noise equipment to facilitate movement of emergency vehicle. Specifies medical assistance rights of persons injured by law enforcement use of chemical incapacitants or kinetic impact projectiles. Requires documentation of each use of chemical incapacitants or kinetic impact projectiles and made publicly available. Prohibits law enforcement agency from using or acquiring expired munitions. Specifies when law enforcement agency may accept aid from or provide aid to any federal agency responding to assembly of five or more persons. Creates civil cause of action for official misconduct against law enforcement agency. Prohibits peace officers from dispersing members of media, legal observers, or persons providing medical assistance from certain assemblages. Modifies when peace officer may use physical force or deadly physical force. Creates cause of action against public body for unlawful use of physical force by peace officer. Declares emergency, effective upon passage.
- 10 Replaces measure. Authorizes Commission on Statewide Law Enforcement Standards of Conduct and Discipline to hire executive director and support staff. Declares emergency, effective upon passage.

No revenue impact

BACKGROUND:

House Bill 4008 is a placeholder relating to public safety.

PRELIMINARY