

Commission on Statewide Law Enforcement Standards of Conduct and Discipline

Oregon Department of Justice

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Requirements of HB 2930 (2021)

- **Commission Membership**
 - 15 Members
 - Co-chaired by Attorney General and Director of the Department of Public Safety Standards and Training
 - Member of the Senate and House of Representatives (Non-voting)
- **Categories of Misconduct:**
 - Unjustified or excessive use of physical or deadly force
 - Sexual harassment
 - Sexual assault
 - Assault
 - Conduct that is motivated by or based on a real or perceived factor of an individual's race, ethnicity, national origin, sex, gender identity, sexual orientation, religion or homelessness;
 - Moral character
 - The use of drugs or alcohol while on duty
- **Deadlines:**
 - Report to House Judiciary Committee (September 1, 2022)
 - Adopt uniform standards (October 1, 2022)

Formation of the Commission

- **Establishing Commission**
 - Recruitment and Outreach
 - Tribal Governments
 - Community Groups
 - Law Enforcement Associations
 - Application Process
- **Commission Funding and Staffing:**
 - Executive Director (Operations Policy Analyst 4)
 - DOJ Support
 - 2 Assistant Attorneys General
 - Paralegal
 - Legal Secretary

Development of Uniform Standards

- **Preliminary Research**
 - Law Enforcement Policies and Matrices
 - *E.g.*, NYPD, Portland Police Bureau, Lexipol, Eugene, Clackamas County
 - Model Policies
 - *E.g.*, Lexipol, International Association of Chiefs of Police
 - State Statutes, Rules, and Policies
 - *E.g.* DAS, BOLI
 - Human Resources
- **Rule Structure**
 - Specific Instances of Misconduct
 - Presumptive, Aggravated, and Mitigated Sanctions

Development of Uniform Standards

- **Focus on Legislative Priorities**
 - Terminable Misconduct
 - Definitions
- **Moral Character**
 - Definition: “Moral Character” means performing the duties of a law enforcement officer in a manner that demonstrates honesty, fairness, and respect for the rights of others and for the laws of the state and the nation.
 - Includes:
 - Conduct constituting a felony under state or federal law; domestic violence; stalking; a drug-related offense, except for offenses involving use or possession of marijuana; a bias or hate crime; or a sex crime
 - Untruthfulness
 - Misuse of Authority for Financial Gain

Notice of Proceedings and Standards

- **Public Meetings**
 - Recorded
 - Virtual
- **Commission Website**
- **Notice of Proposed Rules**
- **Public Hearings**
 - Bend
 - Portland
 - Pendleton
 - Medford

Implementation of Uniform Standards

- **Guide to Commission Rules**
 - Scope and Effective Dates
 - Rules and Definitions
 - Step-by-Step Guide for Disciplinary Actions
- **Informational Presentations**
- **Law Enforcement Agency Survey**
 - Progress Toward Implementation
 - Use of Standards in Disciplinary Action
 - Category of Misconduct
 - Outcome