

SB 614 A STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Judiciary

Action Date: 04/04/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Gelser Blouin, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Gillian Fischer, LPRO Analyst

Meeting Dates: 2/6, 3/30, 4/3, 4/4

WHAT THE MEASURE DOES:

Provides that a law enforcement agency may not collect and maintain information about political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business, or partnership unless it directly relates to investigation of criminal activity or in accordance with ORS 133.741 or as otherwise authorized by law.

ISSUES DISCUSSED:

- Explanation of body camera recording triggers
- Current statutory allowances for recording interactions
- Lawsuit leading to proposed changes

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Under ORS 181A.250 no law enforcement agency may collect or maintain information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.

Law enforcement agencies are required to establish policies and procedures for the use, storage and retention of video and audio recordings resulting from the operation of video cameras worn upon a law enforcement officer's person that record the officer's interactions with members of the public while the officer is on duty. Included in those policies, under ORS 133.741, is a requirement that a camera worn upon a law enforcement officer's person be set to record continuously, beginning when the officer develops reasonable suspicion or probable cause to believe that a crime or violation has occurred, is occurring or will occur and the law enforcement officer begins to make contact with the person suspected of committing the offense.

Senate Bill 614 A provides that a law enforcement agency may not collect and maintain information about political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business, or partnership unless it directly relates to investigation of criminal activity or in accordance with ORS 133.741 or as otherwise authorized by law.