

SB 614 -2 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 2/6, 3/30

WHAT THE MEASURE DOES:

Establishes exception to prohibition on law enforcement agency collecting or maintaining information about person's political, religious or social views or activities for information collected resulting from the operation of video cameras worn upon a law enforcement officer's person. Allows a law enforcement officer to begin recording without developing reasonable suspicion or probable cause to believe that a crime or violation has occurred in certain circumstances.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Replaces the measure. 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.

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 would create an exception to provisions prohibiting law enforcement agencies collecting and maintaining information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership for information collected resulting from the operation of video cameras worn upon a law enforcement officer's person. It would further allow for a law enforcement officer to begin recording without developing reasonable suspicion or probable cause to believe that a crime or violation has occurred in certain circumstances.