

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Courtney, Dingfelder, Kruse, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Channa Newell, Counsel
Meeting Dates:	2/3

WHAT THE MEASURE DOES: Specifies individuals employed fulltime by tribal government as public safety officers who possess certain qualifications are eligible for certification and recertification. Specifies Special Agent in Charge of Federal Bureau of Investigation for Oregon is a nonvoting member of Public Safety Standards and Training Board. Declares emergency; effective on passage.

ISSUES DISCUSSED:

- Effects of Senate Bill 412 (2011)
- Certification process for tribal public safety officers
- Conflict of interest for Federal Bureau of Investigation officer serving on Board of Public Safety Standards and Training

EFFECT OF COMMITTEE AMENDMENT: Replaces original measure.

BACKGROUND: The Department of Public Safety Standards and Training (DPSST) enabling statues include language that allows DPSST to train and certify public safety officers employed by tribal governments who meet the required minimum standards. Tribal law enforcement officers are not required to be certified by the state, though most are.

In the 2011 session, the Legislative Assembly passed Senate Bill 412, which allows tribal police officers to enforce state criminal laws, if their employing tribal government complies with the other conditions and requirements of the bill. Even though compliance is voluntary, an unintended consequence of a tribal government’s choice not to pursue the expanded authority offered by Senate Bill 412 is the loss of DPSST certification previously voluntarily obtained by its public safety officers.

Senate Bill 1525A specifies that individuals employed fulltime by tribal government as public safety officers and in possession of certain qualifications are eligible for certification and recertification through DPSST as is appropriate to their qualifications, regardless of whether their employing government chooses to comply with Senate Bill 412.

Additionally, the Public Safety Standards and Training Board has 24 members, including one member who is the Special Agent-In-Charge for the Federal Bureau of Investigation (FBI) in Oregon. Recent changes to the FBI guidelines regarding employee official-capacity participation in outside organizations led Oregon’s Special-Agent-In-Charge to request that his membership be changed from a regular member to a “non-voting” member, and Senate Bill 1525A does this as well.

2/9/2012 9:14:00 AM

This summary has not been adopted or officially endorsed by action of the committee.