

# D R A F T

## SUMMARY

Establishes requirements for peace officer uniforms.

Establishes requirements for displaying identifying information on peace officer uniforms and for disclosing identifying information to public upon request. Provides that failure to comply with requirements constitutes crime of official misconduct in the second degree, punishable by maximum of 30 days' imprisonment, \$1,250 fine, or both. Establishes requirements for displaying identifying information on law enforcement motor vehicles.

Directs Department of Public Safety Standards and Training to assign identifying number to each police officer certified by department.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to policing requirements; creating new provisions; amending ORS  
3 181A.410; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) Except as provided in subsection (2) of this section,**  
6 **at all times that a peace officer is performing official duties other than**  
7 **participating in an undercover law enforcement operation, the peace**  
8 **officer shall wear a uniform consisting of a light blue or white shirt**  
9 **and navy blue pants. The uniform may include a navy blue jacket.**

10 **(2) A peace officer may not wear a uniform consisting of all black**  
11 **or dark blue clothing unless the peace officer is participating in a**  
12 **special weapons and tactics (SWAT) team or correctional emergency**  
13 **response team (CERT).**

14 **(3) A peace officer may not wear a visible tactical vest unless the**  
15 **peace officer is participating in a special weapons and tactics (SWAT)**

1 team or correctional emergency response team (CERT).

2 (4) As used in this section, “peace officer” has the meaning given  
3 that term in ORS 133.005.

4 **SECTION 2.** (1)(a) A peace officer performing official duties in uni-  
5 form shall prominently display, in lettering legible to a person with  
6 average vision in all weather and light conditions from a distance of  
7 at least 25 feet, the peace officer’s first and last name, badge number  
8 or other identifying number and information sufficient to identify the  
9 peace officer’s employer.

10 (b) A peace officer who is performing official crowd control duties  
11 shall prominently display on both the front and back of the peace  
12 officer’s uniform, in lettering legible to a person with average vision  
13 in all weather and light conditions from a distance of at least 25 feet,  
14 the peace officer’s last name, badge number or other identifying  
15 number and either the word “police” or the words “law  
16 enforcement.”

17 (c) A peace officer performing official duties other than partic-  
18 ipation in an undercover law enforcement operation shall, upon re-  
19 quest, provide a member of the public with the peace officer’s name  
20 and badge number.

21 (2) The failure by a peace officer to comply with the requirements  
22 described in subsection (1) of this section constitutes official miscon-  
23 duct in the second degree under ORS 162.405.

24 (3) At all times that a motor vehicle is used by a law enforcement  
25 agency for official duties other than an undercover law enforcement  
26 operation, the vehicle must display on the front, back and two sides  
27 of the vehicle, in lettering legible to a person with average vision in  
28 all weather and light conditions from a distance of at least 25 feet, a  
29 unique vehicle identification number. The vehicle identification num-  
30 ber must also be displayed on the top of the vehicle in lettering legible  
31 to a person with average vision from a height of at least 2,000 feet

1 **above the vehicle.**

2 **(4) As used in this section:**

3 **(a) “Law enforcement agency” has the meaning given that term in**  
4 **ORS 181A.010.**

5 **(b) “Peace officer” has the meaning given that term in ORS 133.005.**

6 **SECTION 3.** ORS 181A.410 is amended to read:

7 181A.410. (1) In accordance with any applicable provision of ORS chapter  
8 183, to promote enforcement of law and fire services by improving the com-  
9 petence of public safety personnel and their support staffs, and in consulta-  
10 tion with the agencies for which the Board on Public Safety Standards and  
11 Training and Department of Public Safety Standards and Training provide  
12 standards, certification, accreditation and training:

13 (a) The department shall recommend, and the board shall establish by  
14 rule, reasonable minimum standards of physical, emotional, intellectual and  
15 moral fitness for public safety personnel and instructors.

16 (b) The department shall recommend, and the board shall establish by  
17 rule, reasonable minimum training for all levels of professional development,  
18 basic through executive, including but not limited to courses or subjects for  
19 instruction and qualifications for public safety personnel and instructors.  
20 Training requirements shall be consistent with the funding available in the  
21 department’s legislatively approved budget.

22 (c) The department, in consultation with the board, shall establish by rule  
23 a procedure or procedures to be used by law enforcement units, public or  
24 private safety agencies or the Oregon Youth Authority to determine whether  
25 public safety personnel meet minimum standards or have minimum training.

26 (d) Subject to such terms and conditions as the department may impose,  
27 the department shall certify instructors and public safety personnel, except  
28 youth correction officers, as being qualified under the rules established by  
29 the board.

30 (e) The department shall deny applications for training and deny, suspend  
31 and revoke certification in the manner provided in ORS 181A.630, 181A.640

1 and 181A.650 (1).

2 (f) The department shall cause inspection of standards and training for  
3 instructors and public safety personnel, except youth correction officers, to  
4 be made.

5 (g) The department may recommend, and the board may establish by rule,  
6 accreditation standards, levels and categories for mandated and nonmandated  
7 public safety personnel training or educational programs. The department  
8 and board, in consultation, may establish to what extent training or educa-  
9 tional programs provided by an accredited university, college, community  
10 college or public safety agency may serve as equivalent to mandated training  
11 or as a prerequisite to mandated training. Programs offered by accredited  
12 universities, colleges or community colleges may be considered equivalent to  
13 mandated training only in academic areas.

14 (h) The department shall recommend, and the board shall establish by  
15 rule, an educational program that the board determines will be most effective  
16 in reducing profiling, as defined in ORS 131.915, by police officers and re-  
17 serve officers. The program must be required at all levels of training, in-  
18 cluding basic training and advanced, leadership and continuing training.

19 (2) The department may:

20 (a) Contract or otherwise cooperate with any person or agency of gov-  
21 ernment for the procurement of services or property;

22 (b) Accept gifts or grants of services or property;

23 (c) Establish fees for determining whether a training or educational pro-  
24 gram meets the accreditation standards established under subsection (1)(g)  
25 of this section;

26 (d) Maintain and furnish to law enforcement units and public and private  
27 safety agencies information on applicants for appointment as instructors or  
28 public safety personnel, except youth correction officers, in any part of the  
29 state; and

30 (e) Establish fees to allow recovery of the full costs incurred in providing  
31 services to private entities or in providing services as experts or expert

1 witnesses.

2 (3) The department, in consultation with the board, may:

3 (a) Upon the request of a law enforcement unit or public safety agency,  
4 conduct surveys or aid cities and counties to conduct surveys through qual-  
5 ified public or private agencies and assist in the implementation of any rec-  
6 ommendations resulting from such surveys.

7 (b) Upon the request of law enforcement units or public safety agencies,  
8 conduct studies and make recommendations concerning means by which re-  
9 questing units can coordinate or combine their resources.

10 (c) Conduct and stimulate research to improve the police, fire service,  
11 corrections, adult parole and probation, emergency medical dispatch and  
12 telecommunicator professions.

13 (d) Provide grants from funds appropriated or available therefor, to law  
14 enforcement units, public safety agencies, special districts, cities, counties  
15 and private entities to carry out the provisions of this subsection.

16 (e) Provide optional training programs for persons who operate lockups.  
17 The term "lockup" has the meaning given it in ORS 169.005.

18 (f) Provide optional training programs for public safety personnel and  
19 their support staffs.

20 (g) Enter into agreements with federal, state or other governmental  
21 agencies to provide training or other services in exchange for receiving  
22 training, fees or services of generally equivalent value.

23 (h) Upon the request of a law enforcement unit or public safety agency  
24 employing public safety personnel, except youth correction officers, grant an  
25 officer, fire service professional, telecommunicator or emergency medical  
26 dispatcher a multidiscipline certification consistent with the minimum re-  
27 quirements adopted or approved by the board. Multidiscipline certification  
28 authorizes an officer, fire service professional, telecommunicator or emer-  
29 gency medical dispatcher to work in any of the disciplines for which the of-  
30 ficer, fire service professional, telecommunicator or emergency medical  
31 dispatcher is certified. The provisions of ORS 181A.500, 181A.520 and

1 181A.530 relating to lapse of certification do not apply to an officer or fire  
2 service professional certified under this paragraph as long as the officer or  
3 fire service professional maintains full-time employment in one of the certi-  
4 fied disciplines and meets the training standards established by the board.

5 (i) Establish fees and guidelines for the use of the facilities of the train-  
6 ing academy operated by the department and for nonmandated training pro-  
7 vided to federal, state or other governmental agencies, private entities or  
8 individuals.

9 (4) Pursuant to ORS chapter 183, the board, in consultation with the de-  
10 partment, shall adopt rules necessary to carry out the board's duties and  
11 powers.

12 (5) Pursuant to ORS chapter 183, the department, in consultation with the  
13 board, shall adopt rules necessary to carry out the department's duties and  
14 powers.

15 (6) For efficiency, board and department rules may be adopted jointly as  
16 a single set of combined rules with the approval of the board and the de-  
17 partment.

18 (7) The department shall obtain approval of the board before submitting  
19 its legislative concepts, Emergency Board request or agency request budget  
20 to the Oregon Department of Administrative Services.

21 (8) The Department of Public Safety Standards and Training shall develop  
22 a training program for conducting investigations required under ORS  
23 181A.790.

24 **(9) The department shall assign an identifying number to each po-**  
25 **lice officer who is certified by the department.**

26 **SECTION 4. This 2021 Act being necessary for the immediate pres-**  
27 **ervation of the public peace, health and safety, an emergency is de-**  
28 **clared to exist, and this 2021 Act takes effect on its passage.**

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