

D R A F T

SUMMARY

Specifies identification required on uniforms of law enforcement officers working in crowd management. Directs law enforcement officers to provide identifying information upon request from member of public. Directs law enforcement agency to investigate identity of law enforcement officer when member of public provides certain information, and to provide requester with identity or explanation of why identification could not be performed within specified time.

Becomes operative 90 days after effective date of Act.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to law enforcement officer identification; and declaring an emer-
3 gency.

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

5 **SECTION 1. As used in sections 2 and 3 of this 2021 Act:**

6 (1) **“Law enforcement agency” means the Oregon State Police, a**
7 **county sheriff’s office, a municipal police department or a police de-**
8 **partment established by a university under ORS 352.121 or 353.125.**

9 (2) **“Law enforcement officer” means a member of the Oregon State**
10 **Police, a sheriff or deputy sheriff, a municipal police officer or a police**
11 **officer commissioned by a university under ORS 352.121 or 353.125.**

12 **SECTION 2. (1) A law enforcement officer who is on duty and as-**
13 **signed to work crowd management shall have:**

14 (a) **The officer’s first initial and last name and, if applicable, a**
15 **unique identifier assigned by the officer’s law enforcement agency,**
16 **affixed to the front of the officer’s uniform;**

1 (b) The officer's first initial and last name and, if applicable, a
2 unique identifier assigned by the officer's law enforcement agency,
3 affixed to the back of the officer's uniform;

4 (c) If wearing a tactical helmet and assigned a unique identifier by
5 the officer's law enforcement agency, the unique identifier affixed to
6 the back of the officer's helmet;

7 (d) The name of the law enforcement agency jurisdiction and the
8 word "POLICE," "SHERIFF" or "TROOPER" on the front and back of
9 the officer's uniform; and

10 (e) A patch signifying the officer's law enforcement agency affixed
11 to one shoulder.

12 (2) The requirements described in subsection (1) of this section shall
13 be affixed in a manner that makes the letters and numbers clearly
14 visible.

15 (3) A law enforcement agency shall adopt a policy prohibiting the
16 intentional obscuring by a law enforcement officer of any of the in-
17 formation required under subsection (1) of this section.

18 SECTION 3. (1)(a) If practical, safe and tactically feasible, upon
19 request by a member of the public, a law enforcement officer shall
20 provide the officer's name and identification number, or, if applicable,
21 a unique identifier assigned by the law enforcement agency, to the
22 member of the public.

23 (b) A law enforcement officer may satisfy the requirement described
24 in paragraph (a) of this subsection by providing to the member of the
25 public a business card issued by the officer's law enforcement agency.

26 (2)(a) A law enforcement agency shall perform an investigation to
27 identify a law enforcement officer upon request from a member of the
28 public and receipt of:

29 (A) A partial name of the officer;

30 (B) The full or partial badge number or other identifying number
31 of the officer;

1 (C) A photograph of the officer;

2 (D) A full or partial license plate or other identifying number of a
3 police vehicle;

4 (E) A physical description of the officer; or

5 (F) The location, date and time at which the officer was present.

6 (b) Within seven days after receiving a request described in para-
7 graph (a) of this subsection, the law enforcement agency shall confirm
8 to the requester receipt of the request.

9 (c) Within 14 days after receiving a request described in paragraph
10 (a) of this subsection, the law enforcement agency shall provide the
11 requester with:

12 (A) The name of the law enforcement officer and the number as-
13 signed to the officer by the Department of Public Safety Standards and
14 Training; or

15 (B) An explanation of why the identification could not be per-
16 formed.

17 (d) Notwithstanding paragraph (c) of this subsection, when the re-
18 quester provides a full badge number to the law enforcement agency,
19 the agency shall provide the requester with the name of the law
20 enforcement officer within 14 days after receiving the request.

21 (3) The requirements of this section do not apply if the law
22 enforcement officer is participating in an undercover law enforcement
23 operation.

24 SECTION 4. Sections 1 to 3 of this 2021 Act become operative 90
25 days after the effective date of this 2021 Act.

26 SECTION 5. 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.