



Open Government Impact Statement

81st Oregon Legislative Assembly
2021 Regular Session

Measure: HB 2930 - B

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

For purposes of arbitration proceedings concerning alleged misconduct by law enforcement officers, specifies burden of proof necessary for law enforcement agency, or civilian or community oversight board, agency or review body, to show law enforcement officer engaged in misconduct and that any disciplinary action taken against officer was with just cause. Establishes standard of review for arbitrator to determine reasonableness of disciplinary action imposed by law enforcement agency, or civilian or community oversight board, agency or review body. Establishes standard under which arbitrator may or may not set aside or reduce disciplinary action when disciplinary action is termination of employment. Clarifies that requirements concerning burdens of proof and standards of review apply to collective bargaining agreements entered into on or after effective date of Act.

Prescribes method for selecting arbitrator to serve in arbitration proceeding concerning law enforcement officer misconduct.

Establishes Commission on Statewide Law Enforcement Standards of Conduct and Discipline to adopt uniform standards of conduct for law enforcement officers and disciplinary standards by which law enforcement agencies, civilian or community oversight boards, agencies or review bodies and arbitrators shall make determinations regarding imposition of disciplinary action against law enforcement officers. Requires commission to report to House Committee on Judiciary or interim committee of Legislative Assembly related to judiciary no later than September 1, 2022, and September 1 every year thereafter, on details of adopted uniform standards and progress by law enforcement agencies in applying standards. Appropriates moneys to Department of State Police for certain training expenses related to uniform standards.

Removes discipline guide or discipline matrix as mandatory subject of bargaining. Requires law enforcement agencies, civilian or community oversight boards, agencies or review bodies and arbitrators to comply with uniform standards established by Commission on Statewide Law Enforcement Standards of Conduct and Discipline when making decisions regarding law enforcement disciplinary matters. Restricts arbitrator discretion to impose disciplinary action that is different than disciplinary action imposed by law enforcement agency or civilian or community oversight board, agency or review body, if agency's action was made in accordance with uniform standards adopted by commission. Becomes operative on or before November 1, 2022, but not sooner than 30 days after date on which Commission on Statewide Law Enforcement Standards of Conduct and Discipline adopts and publishes rules establishing uniform standards.

Declares emergency, effective on July 1, 2021.

NOTICE OF NO OPEN GOVERNMENT IMPACT

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