

B-Engrossed
House Bill 3355

Ordered by the Senate June 1
Including House Amendments dated April 13 and Senate Amendments
dated June 1

Sponsored by COMMITTEE ON JUDICIARY (at the request of Senator James Manning, Jr.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Specifies identification required on uniforms of law enforcement officers working in crowd management in city with population over *[150,000]* **60,000**. Exempts members of Oregon State Police.

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 emergency.

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

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

5 (1) **“Crowd management” means a public security practice in which large crowds of 50**
6 **persons or more are managed to prevent the outbreak of crowd crushes, affrays, fights or**
7 **riots.**

8 (2) **“Law enforcement agency” means the Oregon State Police, a county sheriff’s office,**
9 **a municipal police department or a police department established by a university under ORS**
10 **352.121 or 353.125.**

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

14 **SECTION 2. (1) A law enforcement officer who is on duty and assigned to work crowd**
15 **management in a city with a population of over 60,000 shall have:**

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

18 (b) **The officer’s first initial and last name, or a unique identifier assigned by the officer’s**
19 **law enforcement agency, affixed to the back of the officer’s uniform;**

20 (c) **If wearing a tactical helmet and assigned a unique identifier by the officer’s law**
21 **enforcement agency, the unique identifier affixed to the back of the officer’s helmet;**

22 (d) **The name of the jurisdiction of the officer’s law enforcement agency and the word**
23 **“POLICE,” “SHERIFF” or “TROOPER” on the front and back of the officer’s uniform; and**

24 (e) **A patch signifying the officer’s law enforcement agency affixed to one shoulder.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(2) The information required under subsection (1) of this section shall be affixed in a**
2 **manner that makes the letters and numbers clearly visible.**

3 **(3) A law enforcement agency shall adopt a policy prohibiting the intentional obscuring**
4 **by a law enforcement officer of any of the information required under subsection (1) of this**
5 **section.**

6 **(4) This section does not apply to members of the Oregon State Police.**

7 **SECTION 3. (1)(a) If practical, safe and tactically feasible, upon request by a member of**
8 **the public, a law enforcement officer shall provide the officer's name and identification**
9 **number, or, if applicable, a unique identifier assigned by the law enforcement agency, to the**
10 **member of the public.**

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

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

16 **(A) A partial name of the officer;**

17 **(B) The full or partial badge number or other identifying number of the officer;**

18 **(C) A photograph of the officer;**

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

20 **(E) A physical description of the officer; or**

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

22 **(b) Within seven days after receiving a request described in paragraph (a) of this sub-**
23 **section, the law enforcement agency shall confirm to the requester receipt of the request.**

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

26 **(A) The name of the law enforcement officer and the number assigned to the officer by**
27 **the Department of Public Safety Standards and Training; or**

28 **(B) An explanation of why the identification could not be performed.**

29 **(d) Notwithstanding paragraph (c) of this subsection, when the requester provides a full**
30 **badge number to the law enforcement agency, the agency shall provide the requester with**
31 **the name of the law enforcement officer within 14 days after receiving the request.**

32 **(3) The requirements of this section do not apply if the law enforcement officer is par-**
33 **ticipating in an undercover law enforcement operation.**

34 **SECTION 4. Sections 1 to 3 of this 2021 Act become operative 90 days after the effective**
35 **date of this 2021 Act.**

36 **SECTION 5. This 2021 Act being necessary for the immediate preservation of the public**
37 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
38 **on its passage.**

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