

House Bill 3355

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 **as introduced**.

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 emergency.

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

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

4
5 (1) "Law enforcement agency" means the Oregon State Police, a county sheriff's office,
6 a municipal police department or a police department established by a university under ORS
7 352.121 or 353.125.

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

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

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

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

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

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

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

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

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

27 **SECTION 3. (1)(a) If practical, safe and tactically feasible, upon request by a member of
28 the public, a law enforcement officer shall provide the officer's name and identification**

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 number, or, if applicable, a unique identifier assigned by the law enforcement agency, to the
2 member of the public.

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

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

8 (A) A partial name of the officer;

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

10 (C) A photograph of the officer;

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

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

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

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

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

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

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

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

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

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

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

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