

# Senate Bill 421

Sponsored by Senator MANNING JR (Pre-session filed.)

## 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**.

Transfers responsibility for database about police officers from Department of Public Safety Standards and Training to Department of Justice.

Expands scope of database to include instances of misconduct, terminations of police officers and complaints against police officers.

Requires Department of Public Safety Standards and Training and law enforcement units to provide information to Department of Justice as necessary.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to records about conduct of police officers; creating new provisions; amending section 3,  
3 chapter 7, Oregon Laws 2020 (first special session); and declaring an emergency.

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

5 **SECTION 1.** Section 3, chapter 7, Oregon Laws 2020 (first special session), is amended to read:

6 **Sec. 3.** (1) The [*Department of Public Safety Standards and Training*] **Department of Justice**  
7 shall establish a statewide online database [*of suspensions and revocations of the certifications of*  
8 *police officers.*] that is accessible by the public **and that includes:**

9 (a) **Suspensions and revocations of the certifications of police officers, as provided in**  
10 **subsection (2) of this section.**

11 (b) **Instances of investigated and verified misconduct of a police officer, termination of**  
12 **a police officer or complaint against a police officer involving:**

13 (A) **Death and serious injury in custody.**

14 (B) **Excessive use of force.**

15 (C) **Discrimination against a person based on membership in a protected class.**

16 (D) **Commission of a crime while a police officer is on duty.**

17 (E) **Dishonesty during a police proceeding, investigation or court case.**

18 (2) The [*department*] **Department of Justice** shall publish information on the database when the  
19 [*department*] **Department of Public Safety Standards and Training** suspends or revokes the cer-  
20 tification of a police officer under ORS 181A.630, 181A.640 and 181A.650, including but not limited  
21 to:

22 (a) The name of the officer;

23 (b) The law enforcement unit at which the officer was employed; and

24 (c) A description of the facts underlying the suspension or revocation.

25 (3) The [*department*] **Department of Justice** shall publish the information required under sub-  
26 section (2) of this section within 10 days after:

27 (a) The time for filing an appeal of the [*department's decision*] **decision of the Department of**

28 **Public Safety Standards and Training** under ORS 181A.650 has passed and no appeal has been

**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 filed; or

2 (b) The decision [*of the department*] is appealed under ORS 181A.650 and the [*department's*] de-  
 3 cision has been sustained by the Court of Appeals or the appeal has been dropped.

4 (4) The [*department*] **Department of Justice** shall submit an annual report to an appropriate  
 5 committee of the Legislative Assembly summarizing and analyzing the data in the database.

6 **(5) The Department of Justice may adopt rules to implement this section.**

7 **(6) The Department of Public Safety Standards and Training and law enforcement units**  
 8 **shall provide information as necessary to the Department of Justice for inclusion in the da-**  
 9 **tabase.**

10 **SECTION 2. The Director of the Department of Public Safety Standards and Training**  
 11 **shall deliver to the Attorney General all records and property within the jurisdiction of the**  
 12 **director that relate to the duties, functions and powers transferred by the amendments to**  
 13 **section 3, chapter 7, Oregon Laws 2020 (first special session), by section 1 of this 2021 Act.**

14 **SECTION 3. (1) Section 2 of this 2021 Act and the amendments to section 3, chapter 7,**  
 15 **Oregon Laws 2020 (first special session), by section 1 of this 2021 Act become operative on**  
 16 **January 1, 2022.**

17 **(2) The Department of Justice and the Department of Public Safety Standards and**  
 18 **Training may take any action before the operative date specified in subsection (1) of this**  
 19 **section to enable the departments to exercise, on and after the operative date specified in**  
 20 **subsection (1) of this section, all of the duties, functions and powers conferred on the de-**  
 21 **partments by the amendments to section 3, chapter 7, Oregon Laws 2020 (first special ses-**  
 22 **sion), by section 1 of this 2021 Act.**

23 **SECTION 4. This 2021 Act being necessary for the immediate preservation of the public**  
 24 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**  
 25 **on its passage.**

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