

Senate Bill 593

Sponsored by Senator FREDERICK (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**.

Modifies provisions relating to police officers.

A BILL FOR AN ACT

Relating to police officers; creating new provisions; and amending ORS 181A.375 and 181A.440.

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

SECTION 1. ORS 181A.440 is amended to read:

181A.440. (1) The Department of Public Safety Standards and Training shall include in the minimum training required for basic certification as a police officer **or certified reserve officer** under ORS 181A.490:

[(1)] (a) The law, theory, policies and practices related to vehicle pursuit driving and, as facilities and funding permit, vehicle pursuit training exercises; *[and]*

[(2)] (b) At least 24 hours of training in the recognition of mental illnesses utilizing a crisis intervention training model, at least one hour of which must include training on the appropriate use of the medical health database described in ORS 181A.285[.];

(c) At least eight hours of diversity training; and

(d) Training on implicit bias.

(2) The department shall ensure that all police officers and certified reserve officers receive training in implicit bias each year.

SECTION 2. The Department of Public Safety Standards and Training shall create a work group including professional policing organizations from underrepresented communities to advise the department on how to improve scenario-based training regarding racial issues.

SECTION 3. ORS 181A.440 and sections 4 to 7 of this 2021 Act are added to and made a part of ORS 181A.355 to 181A.670.

SECTION 4. (1) The Department of Public Safety Standards and Training shall develop a standardized background check process that may be used by all law enforcement units in the hiring of police officers and certified reserve officers.

(2) The background check process developed under this section must allow an applicant to appeal the results of the background check.

(3) The department shall make publicly available the results of background checks performed by the process developed under this section.

SECTION 5. (1)(a) The Department of Public Safety Standards and Training shall annually review for implicit bias and situational applicability any examination or test used by a law enforcement unit in the hiring process for police officers and certified reserve officers.

(b) The department shall monitor by race and gender the passing rate for any examina-

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 **tion or test used by a law enforcement unit in the hiring process for police officers and**
 2 **certified reserve officers.**

3 **(2) The department shall report each year to an appropriate committee or interim com-**
 4 **mittee of the Legislative Assembly on the analysis conducted under this section.**

5 **SECTION 6. A law enforcement unit shall ensure that its practices relating to psycho-**
 6 **logical criteria and situational analysis reflect the experiences of tribal members, communi-**
 7 **ties of color, religious communities and immigrants.**

8 **SECTION 7. A law enforcement unit shall hire or contract with a psychologist who has**
 9 **undergone cultural competence training.**

10 **SECTION 8. ORS 181A.375 is amended to read:**

11 181A.375. (1) The Board on Public Safety Standards and Training shall establish the following
 12 policy committees:

- 13 (a) Corrections Policy Committee;
- 14 (b) Fire Policy Committee;
- 15 (c) Police Policy Committee;
- 16 (d) Telecommunications Policy Committee; and
- 17 (e) Private Security Policy Committee.

18 (2) The members of each policy committee shall select a chairperson and vice chairperson for
 19 the policy committee. Only members of the policy committee who are also members of the board are
 20 eligible to serve as a chairperson or vice chairperson. The vice chairperson may act as chairperson
 21 in the absence of the chairperson.

22 (3) The Corrections Policy Committee consists of:

- 23 (a) All of the board members who represent the corrections discipline;
- 24 (b) The chief administrative officer of the training division of the Department of Corrections;
- 25 (c) A security manager from the Department of Corrections recommended by the Director of the
 26 Department of Corrections; and

27 (d) The following, who may not be current board members, appointed by the chairperson of the
 28 board:

- 29 (A) One person recommended by and representing the Oregon State Sheriffs' Association;
- 30 (B) Two persons recommended by and representing the Oregon Sheriff's Jail Command Council;
- 31 (C) One person recommended by and representing a statewide association of community cor-
 32 rections directors;
- 33 (D) One nonmanagement corrections officer employed by the Department of Corrections;
- 34 (E) One corrections officer who is employed by the Department of Corrections at a women's
 35 correctional facility and who is a member of a bargaining unit;
- 36 (F) Two nonmanagement corrections officers; and
- 37 (G) One person representing the public who:

38 (i) Has never been employed or utilized as a corrections officer or as a parole and probation
 39 officer; and

40 (ii) Is not related within the second degree by affinity or consanguinity to a person who is em-
 41 ployed or utilized as a corrections officer or parole and probation officer.

42 (4) The Fire Policy Committee consists of:

- 43 (a) All of the board members who represent the fire service discipline; and
- 44 (b) The following, who may not be current board members, appointed by the chairperson of the
 45 board:

- 1 (A) One person recommended by and representing a statewide association of fire instructors;
 2 (B) One person recommended by and representing a statewide association of fire marshals;
 3 (C) One person recommended by and representing community college fire programs;
 4 (D) One nonmanagement firefighter recommended by a statewide organization of firefighters;
 5 (E) One person representing the forest protection agencies and recommended by the State
 6 Forestry Department; and
 7 (F) One person representing the public who:
 8 (i) Has never been employed or utilized as a fire service professional; and
 9 (ii) Is not related within the second degree by affinity or consanguinity to a person who is em-
 10 ployed or utilized as a fire service professional.
 11 (5) The Police Policy Committee consists of:
 12 (a) All of the board members who represent the law enforcement discipline; and
 13 (b) The following, who may not be current board members, appointed by the chairperson of the
 14 board:
 15 (A) One person recommended by and representing the Oregon Association Chiefs of Police;
 16 (B) Two persons recommended by and representing the Oregon State Sheriffs' Association;
 17 (C) One command officer recommended by and representing the Oregon State Police;
 18 (D) Three nonmanagement law enforcement officers; *[and]*
 19 **(E) One person representing an organization representing Black law enforcement offi-**
 20 **cers;**
 21 **(F) One person representing tribal government, as defined in ORS 181A.680; and**
 22 *[(E)]* (G) One person representing the public who:
 23 (i) Has never been employed or utilized as a police officer, certified reserve officer, reserve of-
 24 ficer or regulatory specialist; and
 25 (ii) Is not related within the second degree by affinity or consanguinity to a person who is em-
 26 ployed or utilized as a police officer, certified reserve officer, reserve officer or regulatory specialist.
 27 (6) The Telecommunications Policy Committee consists of:
 28 (a) All of the board members who represent the telecommunications discipline; and
 29 (b) The following, who may not be current board members, appointed by the chairperson of the
 30 board:
 31 (A) Two persons recommended by and representing a statewide association of public safety
 32 communications officers;
 33 (B) One person recommended by and representing the Oregon Association Chiefs of Police;
 34 (C) One person recommended by and representing the Oregon State Police;
 35 (D) Two persons representing telecommunicators;
 36 (E) One person recommended by and representing the Oregon State Sheriffs' Association;
 37 (F) One person recommended by and representing the Oregon Fire Chiefs Association;
 38 (G) One person recommended by and representing the Emergency Medical Services and Trauma
 39 Systems Program of the Oregon Health Authority;
 40 (H) One person representing emergency medical services providers and recommended by a
 41 statewide association dealing with fire medical issues; and
 42 (I) One person representing the public who:
 43 (i) Has never been employed or utilized as a telecommunicator or an emergency medical dis-
 44 patcher; and
 45 (ii) Is not related within the second degree by affinity or consanguinity to a person who is em-

1 employed or utilized as a telecommunicator or an emergency medical dispatcher.

2 (7) The Private Security Policy Committee consists of:

3 (a) All of the board members who represent the private security industry; and

4 (b) The following, who may not be current board members, appointed by the chairperson of the
5 board:

6 (A) One person representing unarmed private security professionals;

7 (B) One person representing armed private security professionals;

8 (C) One person representing the health care industry;

9 (D) One person representing the manufacturing industry;

10 (E) One person representing the retail industry;

11 (F) One person representing the hospitality industry;

12 (G) One person representing private business or a governmental entity that utilizes private se-
13 curity services;

14 (H) One person representing persons who monitor alarm systems;

15 (I) Two persons who are investigators licensed under ORS 703.430, one of whom is recommended
16 by the Oregon State Bar and one of whom is in private practice; and

17 (J) One person representing the public who:

18 (i) Has never been employed or utilized as a private security provider, as defined in ORS
19 181A.840, or an investigator, as defined in ORS 703.401; and

20 (ii) Is not related within the second degree by affinity or consanguinity to a person who is em-
21 ployed or utilized as a private security provider, as defined in ORS 181A.840, or an investigator, as
22 defined in ORS 703.401.

23 (8) In making appointments to the policy committees under this section, the chairperson of the
24 board shall seek to reflect the diversity of the state's population. An appointment made by the
25 chairperson of the board must be ratified by the board before the appointment is effective. The
26 chairperson of the board may remove an appointed member for just cause. An appointment to a
27 policy committee that is based on the member's employment is automatically revoked if the member
28 changes employment. The chairperson of the board shall fill a vacancy in the same manner as
29 making an initial appointment. The term of an appointed member is two years. An appointed member
30 may be appointed to a second term.

31 (9) A policy committee may meet at such times and places as determined by the policy commit-
32 tee in consultation with the Department of Public Safety Standards and Training. A majority of a
33 policy committee constitutes a quorum to conduct business. A policy committee may create sub-
34 committees if needed.

35 (10)(a) Each policy committee shall develop policies, requirements, standards and rules relating
36 to its specific discipline. A policy committee shall submit its policies, requirements, standards and
37 rules to the board for the board's consideration. When a policy committee submits a policy, re-
38 quirement, standard or rule to the board for the board's consideration, the board shall:

39 (A) Approve the policy, requirement, standard or rule;

40 (B) Disapprove the policy, requirement, standard or rule; or

41 (C) Defer a decision and return the matter to the policy committee for revision or reconsider-
42 ation.

43 (b) The board may defer a decision and return a matter submitted by a policy committee under
44 paragraph (a) of this subsection only once. If a policy, requirement, standard or rule that was re-
45 turned to a policy committee is resubmitted to the board, the board shall take all actions necessary

1 to implement the policy, requirement, standard or rule unless the board disapproves the policy, re-
2 quirement, standard or rule.

3 (c) Disapproval of a policy, requirement, standard or rule under paragraph (a) or (b) of this
4 subsection requires a two-thirds vote by the members of the board.

5 (11) At any time after submitting a matter to the board, the chairperson of the policy committee
6 may withdraw the matter from the board's consideration.

7
