HB 2932-9 (LC 763) 3/15/21 (MNJ/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY

PROPOSED AMENDMENTS TO HOUSE BILL 2932

1 On page 1 of the printed bill, delete lines 4 through 30 and delete page 2 2 and insert:

3 **"SECTION 1. (1) As used in this section:**

4 "(a) 'Law enforcement unit' has the meaning given that term in
5 ORS 181A.355, except that 'law enforcement unit' does not include a
6 tribal government.

"(b) 'Local correctional facility' has the meaning given that term
in ORS 169.005.

9 "(c) 'Peace officer' has the meaning given that term in ORS 161.015,
10 except that 'peace officer' does not include an authorized tribal police
11 officer as defined in ORS 181A.680.

"(2) The Oregon Criminal Justice Commission shall establish a
 statewide database of reports of the use of physical force by peace of ficers and deaths in custody of law enforcement units. The database
 must be searchable and available to the public.

"(3) For each instance in which a peace officer employed by a law enforcement unit uses physical force against an individual, or when a death occurs while an individual is in the custody of a law enforcement unit, the law enforcement unit shall report to the commission and to the Federal Bureau of Investigation as soon as practicable, but no later than 72 hours after the use of force or death in custody: 1 "(a) The following information about each officer who used physical

2 **force:**

- 3 **"(A) Name.**
- 4 "(B) Certification number.
- 5 **"(C) Race.**
- 6 **"(D) Gender.**
- 7 **"(E) Age.**
- 8 "(F) Height and weight.
- 9 "(G) Years of experience.
- 10 "(H) Whether the officer is a full-time or part-time employee.

11 "(I) Whether the officer was readily identifiable.

"(b) The certification numbers of all officers present at the incident
 who did not use physical force.

- ¹⁴ "(c) The date, time and location of the use of physical force.
- ¹⁵ "(d) The perceived race, gender, age, religion, height and weight of

16 the person against whom physical force was used.

17 "(e) A description of the physical force used.

¹⁸ "(f) A description of the severity of the physical force used.

"(g) A description of any injuries sustained by officers and persons
 against whom physical force was used.

21 "(h) Whether the officer who used physical force was on duty.

"(i) Whether the officer who used physical force used a weapon or
 discharged a firearm.

"(j) Whether the use of physical force was investigated by the law
enforcement unit or the Department of Public Safety Standards and
Training, and the outcome of the investigation.

"(k) Whether a citizen complained about the use of physical force,
and the outcome of the complaint.

"(L) Whether the law enforcement unit initiated the contact that
 ended in the use of physical force.

1 "(m) Whether officers were ambushed.

2 "(n) Whether a supervisor was present during the use of physical
3 force.

4 "(o) The reason for the presence of officers at the incident that 5 ended in the use of physical force.

6 "(p) Whether the person against whom physical force was used re7 sisted.

"(q) A description of any threats against officers or others made
by the person against whom physical force was used.

"(r) Whether the person against whom physical force was used ap peared to be impaired.

"(4) A law enforcement unit may not report to the commission the
 name, address, Social Security number or other unique personally
 identifiable information of a person against whom physical force was
 used.

16 "(5) At least once each calendar quarter, the Department of Cor-17 rections and a local correctional facility shall submit to the commis-18 sion data related to deaths in custody collected under and on forms 19 established by the Bureau of Justice Statistics of the United States 20 Department of Justice in accordance with the federal Death in Custody 21 Reporting Act (P.L. 113-242).

"(6) The Oregon Criminal Justice Commission shall report annually
to an appropriate committee or interim committee of the Legislative
Assembly on the reports received under this section, aggregated and
broken down by law enforcement unit.".

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