



Oregon

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DATE: March 18, 2021

TO: Honorable Members of the Senate Committee on Judiciary/BM 110 Implementation

FROM: Linsay Hale, Professional Standards/Interim Training Division Director

SUBJECT: DPSST Testimony: SB 731

Summary: SB 731 would remove from law the requirement that tribal law enforcement agencies that choose to comply with what is commonly known as 2011 SB 412 adhere to all requirements of law enforcement units found in ORS 181A.355 to 181A.670.

Background: The Department of Public Safety Standards and Training (DPSST), in consultation with its governing Board on Public Safety Standards and Training (Board), is responsible for establishing the minimum standards for training and certification of Oregon's police officers, as well as police officers employed by a tribal law enforcement agency that chooses to comply with 2011 SB 412 and are designated as authorized tribal police officers by their employer.

Police officers (which by definition includes authorized tribal police officers) are required, by law, to earn and maintain a DPSST Basic Police certification. This is done by completing the Board-approved Basic Police training¹, satisfying all certification maintenance training requirements, and meeting and maintaining all other Board-established minimum physical, emotional, intellectual and moral fitness standards.

Effect of SB 731: SB 731 would remove the requirement that 2011 SB 412-compliant tribal law enforcement agencies that employ authorized tribal police officers comply with the requirements of other law enforcement units who employ DPSST-certified police officers. This includes, most notably, the requirement that Board-approved pre-employment background investigations and psychological evaluations be completed on authorized tribal police officers prior to hire, that tribal law enforcement units report to DPSST the hire and separation (including the reason for separation) of authorized tribal police officers, and that authorized officers commence DPSST training within 90 days from the date of hire as an authorized tribal police officer.

Impact of SB 114 on DPSST: This bill as introduced would have no fiscal or operation impact on the DPSST, but it would mean that police officers employed by a tribal law enforcement agency and designated as an authorized tribal police officer could be allowed to earn and maintain a DPSST Basic Police certification without meeting the all of the minimum requirements of other police officers trained and certified by the DPSST.

The DPSST Basic Police certification is portable, which means that once earned it will transfer with the holder should they become employed with another non-tribal law enforcement unit in Oregon, in most cases without the individual having to re-satisfy any minimum training or certification requirement.

¹ This includes completion of the 16-week Basic Police Course and Field Training.