

**Department of Public Safety Standards and Training
Memo**

Date: October 24, 2019

To: Board on Public Safety Standards and Training

From: Linsay Hale
Professional Standards Division Director

Subject: **DPSST Regulation of Private Security Uniforms/Vehicles**
Proposed Legislative Concept

Background: The Oregon Legislature passed SB 576 (Kaylee’s Law) during the 2019 legislative session in reaction to the tragic murder of a college student in Central Oregon. While this bill focused only on the appearance, equipment and authorities of campus public safety providers, the legislative hearings and discussions highlighted universal limitations in the existing laws when it comes to creating a clear delineation between the authorities of DPSST-trained and certified law enforcement and private security providers. These limitations result in confusion where private security providers are mistaken for law enforcement by the public and other public safety personnel and opportunities for entities or providers to deliberately cultivate the misimpression that they are law enforcement officers. Lawmakers, through the passage of SB 576, unanimously recognized these dangers and the serious risks to the health and safety of the public, private security providers and law enforcement officers in our State.

Issue: SB 576 rectified these issues for providers of campus public safety only. The appearance of and equipment being utilized by the remainder of the private security industry remains unregulated. It is not uncommon for DPSST to become aware of situations where private security uniforms and/or vehicles make it difficult to differentiate between members of law enforcement and providers of private security services, creating serious risks to the health and safety of the public, private security provider and members of law enforcement.

This legislative concept aims to expand the general prohibitions relating to the appearance and equipment (specifically vehicles) enacted through the passage of SB 576 to all private security entities and providers operating in Oregon.

Draft Legislative Concept Language:

181A.893 Entities employing private security providers; rules.

(1) It is unlawful:

- (a) For an entity that employs private security providers to use a name that implies that the entity is, or is affiliated with, an existing law enforcement unit or public safety agency as defined in ORS 181A.355, the organized militia as described in

ORS 396.105, the Armed Forces of the United States, a federal law enforcement agency or a federal intelligence agency.

(b) For private security entities or providers to possess or use in the scope of employment equipment, vehicles, uniforms or titles that implies that the person or entity is affiliated in any way with a public or private safety agency as defined in ORS 181A.355

(2) The Board on Public Safety Standards and Training, in consultation with the Department of Public Safety Standards and Training, shall adopt rules related to the requirements of subsection (1) of this section.

**PRIVATE SECURITY/INVESTIGATOR POLICY COMMITTEE
RECOMMENDATION:**

On August 20, 2019, the Private Security/Investigator Policy Committee (PSIPC) met and reviewed this legislative concept regulating the uniforms, equipment, titles and vehicles used by private security providers. After much discussion about and eventual amendment to the draft concept language, the PSIPC voted unanimously to recommend that the Board approve filing this concept with the Department of Administrative Services for consideration during the 2021 legislative session.

ACTION ITEM:

VOTE: Review and affirm the recommendation of the Private Security/Investigator Policy Committee.