



Oregon

Kate Brown, Governor

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DATE: March 20, 2021

TO: Honorable Members of the House Committee on Judiciary

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

SUBJECT: DPSST Testimony: SB 731A

Summary: SB 731A would remove from law the requirement that tribal law enforcement agencies choosing 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. The bill instead requires all tribal law enforcement units to comply with the rules and regulations established by the Board on Public Safety Standards and Training (Board), and enforced by the Department of Public Safety Standards and Training (DPSST) as they relate to police officers designated as authorized tribal police officers only.¹

Background: The DPSST, in consultation with its governing 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 training², satisfying all certification maintenance training requirements, and meeting and maintaining all other Board-established minimum physical, emotional, intellectual and moral fitness standards.

Effect/Impact of SB 731A: SB 731A ensures tribal sovereignty by limiting the regulatory jurisdiction of the Board/DPSST to authorized tribal police officers only. Tribal law enforcement units will still be required to ensure a Board-approved pre-employment background investigations and psychological evaluations are completed on authorized tribal police officers prior to hire, that the hire and separation (including the reason for separation) of authorized tribal police officers is reported to the DPSST, and that authorized officers commence DPSST training within 90 days from the date of hire as an authorized tribal police officer.

This bill as introduced would have no fiscal or operational impact on the DPSST, and would not in any way alter the manner or methods involved in earning or maintaining a Basic Police Certification from DPSST.

¹ Authorized tribal police officers are officers employed by a SB-412 compliant tribal law enforcement unit who have been designated by the tribal law enforcement unit to receive DPSST training and certification, allowing the ability to provide police services off tribal land. Authorized tribal police officers are required to meet and maintain all of the standards required of all other police officers employed by non-tribal law enforcement units in Oregon.

² This includes completion of the 16-week Basic Police Course and Field Training.