

Senate Bill 236

Sponsored by Senator GORSEK (Presession 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**.

Directs Oregon Criminal Justice Commission to adopt rules requiring law enforcement units to report certain incidents and complaints to commission. Directs commission to publish annual report on incidents and complaints.

Directs Department of Justice to establish division within department to aid and support families of persons killed or seriously injured by police.

Establishes Office of Law Enforcement Oversight in Division of Audits of office of Secretary of State to study system of investigation, prosecution and victim support related to certain law enforcement issues and misconduct. Directs office to report at least annually to appropriate committee or interim committee Legislative Assembly.

Establishes Advisory Board for Law Enforcement Oversight to study and report on operations of Office of Law Enforcement Oversight.

A BILL FOR AN ACT

1
2 Relating to law enforcement oversight.

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

4 **SECTION 1. (1) As used in this section, "law enforcement unit" has the meaning given**
5 **that term in ORS 181A.355.**

6 **(2) The Oregon Criminal Justice Commission shall adopt rules requiring law enforcement**
7 **units to report to the commission, within 24 hours after the incident or complaint, the use**
8 **of deadly force by the law enforcement unit, deaths of persons in custody of the law**
9 **enforcement unit and complaints of sexual assault, sexual harassment and domestic violence**
10 **against employees of the law enforcement unit.**

11 **(3) The commission shall publish an annual report on the extent, distribution and demo-**
12 **graphics of the reports received under subsection (2) of this section.**

13 **SECTION 2. The Department of Justice shall establish a division within the department**
14 **to aid and support families of persons killed or seriously injured by police.**

15 **SECTION 3. (1) The Office of Law Enforcement Oversight is established in the Division**
16 **of Audits of the office of the Secretary of State.**

17 **(2)(a) The Office of Law Enforcement Oversight shall be managed by a director appointed**
18 **under section 4 of this 2023 Act.**

19 **(b) The director shall be paid a salary as provided by law or, if not so provided, as pre-**
20 **scribed by the Advisory Board on Law Enforcement Oversight established in section 4 of this**
21 **2023 Act.**

22 **(c) The director shall appoint the employees of the office, prescribe their duties and fix**
23 **their compensation.**

24 **(3) The office shall study the system of investigation, prosecution and victim support**
25 **related to the use of lethal force by law enforcement officers, deaths of persons in the cus-**
26 **tody of law enforcement and serious criminal misconduct by law enforcement officers.**

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 (4) The office shall report at least annually to an appropriate committee or interim
 2 committee of the Legislative Assembly on the topics described in subsection (3) of this sec-
 3 tion, and on the efficacy, transparency, fiscal impact and justice of the system addressing
 4 the issues described in subsection (3) of this section.

5 (5) The Department of Justice and the Department of State Police are directed to assist
 6 the office in the performance of the duties of the office and to provide data to the office as
 7 required by the office.

8 **SECTION 4.** (1) The Advisory Board on Law Enforcement Oversight is created. The board
 9 consists of nine members appointed by the Secretary of State.

10 (2) The term of a member of the board is four years.

11 (3) If there is a vacancy in one of the positions of the board, the Secretary of State shall
 12 appoint a new member from a list of candidates submitted by the remaining members of the
 13 board.

14 (4) The members of the board shall select from among themselves a chairperson and a
 15 vice chairperson.

16 (5) The board shall meet at such times and places as determined by the chairperson.

17 (6) A majority of the members of the board constitutes a quorum for the transaction of
 18 business.

19 (7) Official action by the board requires the approval of a majority of the members of the
 20 board.

21 (8) Members of the board are not entitled to compensation or reimbursement for ex-
 22 penses and serve as volunteers on the board.

23 (9) The office of the Secretary of State shall provide staff support for the board.

24 (10) The board shall:

25 (a) Appoint the director of the Office of Law Enforcement Oversight.

26 (b) Study the operations of the Office of Law Enforcement Oversight.

27 (c) Make any recommendations to the Legislative Assembly that the board deems nec-
 28 essary to increase the effectiveness of the Office of Law Enforcement Oversight.

29 (d) Make any recommendations for additional legislation related to the work of the Office
 30 of Law Enforcement Oversight.

31 (e) Conduct such other studies as necessary to accomplish the purposes of this sub-
 32 section.

33 **SECTION 5.** (1) Notwithstanding the term of office set forth in section 4 of this 2023 Act,
 34 of the members first appointed to the Advisory Board on Law Enforcement Oversight:

35 (a) Three shall serve for a term ending December 31, 2025.

36 (b) Three shall serve for a term ending December 31, 2026.

37 (c) Three shall serve for a term ending December 31, 2027.

38 (2) Notwithstanding section 4 of this 2023 Act, the Secretary of State shall appoint the
 39 first members of the board under this section without considering the recommendations of
 40 the board.