

# House Bill 2712

Sponsored by Representative PILUSO (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**.

Requires law enforcement agencies to adopt policies on responding to officer-involved domestic violence incidents. Defines "officer-involved domestic violence." Requires Department of Public Safety Standards and Training to adopt rules related to officer-involved domestic violence.

Establishes Task Force on Officer-Involved Domestic Violence. Directs task force to develop model policy on officer-involved domestic violence. Sunsets task force on December 31, 2018.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to domestic violence; and declaring an emergency.

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

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

5 (a) **"Domestic violence" has the meaning given that term in ORS 135.230.**

6 (b) **"Law enforcement agency" means county sheriffs, municipal police departments and**  
7 **the Oregon State Police.**

8 (c) **"Law enforcement officer" means an officer, member or employee of a law enforce-**  
9 **ment agency who is employed as a peace officer.**

10 (d) **"Officer-involved domestic violence" means an incident of domestic violence in which**  
11 **a law enforcement officer was either the perpetrator or the victim of the incident.**

12 (2)(a) **A law enforcement agency must have a written policy on responding to officer-**  
13 **involved domestic violence incidents. To adopt the policy required by this section, a law**  
14 **enforcement agency shall:**

15 (A) **Create and adopt the policy; or**

16 (B) **Adopt the model policy on officer-involved domestic violence approved by the De-**  
17 **partment of Public Safety Standards and Training under subsection (4) of this section.**

18 (b) **A law enforcement agency shall implement the policy on officer-involved domestic**  
19 **violence not more than one year after the date on which the law enforcement agency adopts**  
20 **the policy.**

21 (3) **The Department of Public Safety Standards and Training shall adopt rules related to**  
22 **officer-involved domestic violence incidents. The rules adopted under this subsection must**  
23 **establish:**

24 (a) **Guidelines for interagency cooperation and collaboration with community groups that**  
25 **serve victims of domestic violence; and**

26 (b) **Minimum standards that a policy created and adopted by a law enforcement agency**  
27 **under subsection (2)(a)(A) of this section must meet, including for:**

28 (A) **Reporting officer-involved domestic violence to:**

29 (i) **The law enforcement agency; and**

**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.

- (ii) The district attorney for the county in which the law enforcement agency is located;
- (B) Investigating officer-involved domestic violence; and
- (C) Training law enforcement officers on responding to officer-involved domestic violence.

(4) The department shall adopt and approve by rule a model policy on officer-involved domestic violence.

(5) The department may adopt other rules as necessary to carry out the provisions of this 2017 Act.

**SECTION 2. (1) The Task Force on Officer-Involved Domestic Violence is established.**

**(2) The task force consists of 11 members as follows:**

**(a) The Director of the Department of Public Safety Standards and Training or a designee of the director.**

**(b) The President of the Senate shall appoint one member from among the members of the Senate.**

**(c) The Speaker of the House of Representatives shall appoint one member from among the members of the House of Representatives.**

**(d) The Governor shall appoint eight members as follows:**

**(A) One member who is a law enforcement officer employed by a rural law enforcement agency;**

**(B) One member who is a law enforcement officer employed by an urban law enforcement agency;**

**(C) Two members who are sworn members of the Oregon State Police;**

**(D) One member who is an advocate for victims of domestic violence in a rural area of this state;**

**(E) One member who is an advocate for victims of domestic violence in an urban area of this state;**

**(F) One member who is an advocate for victims of domestic violence and is employed by a district attorney's office; and**

**(G) One member who is an advocate for victims of domestic violence and is employed by a domestic violence crisis center or shelter.**

**(3)(a) The task force shall develop a written model policy for use by law enforcement agencies on officer-involved domestic violence incidents that the Department of Public Safety Standards and Training may approve by rule under section 1 (4) of this 2017 Act. The policy must establish minimum standards for law enforcement agencies on responding to officer-involved domestic violence incidents, including training of law enforcement officers and reporting requirements and must also include methods for interagency cooperation among law enforcement agencies and collaboration with community groups that serve victims of domestic violence.**

**(b) The task force may make recommendations to the department for the development of administrative rules related to officer-involved domestic violence.**

**(4) Members of the Legislative Assembly appointed to the task force are nonvoting members of the task force and may act in an advisory capacity only.**

**(5) A majority of the voting members of the task force constitutes a quorum for the transaction of business.**

**(6) Official action by the task force requires the approval of a majority of the voting members of the task force.**

1 (7) The task force shall elect one of its members to serve as chairperson.

2 (8) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
3 ment to become immediately effective.

4 (9) The task force shall meet at times and places specified by the call of the chairperson  
5 or of a majority of the voting members of the task force.

6 (10) The task force may adopt rules necessary for the operation of the task force.

7 (11) The department shall provide staff support to the task force.

8 (12) Members of the task force who are not members of the Legislative Assembly are not  
9 entitled to compensation or reimbursement for expenses and serve as volunteers on the task  
10 force.

11 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist  
12 the task force in the performance of the task force's duties and, to the extent permitted by  
13 laws relating to confidentiality, to furnish information and advice the members of the task  
14 force consider necessary to perform their duties.

15 **SECTION 3.** (1) Section 1 of this 2017 Act becomes operative on January 1, 2019.

16 (2) The Department of Public Safety Standards and Training may take any action before  
17 the operative date specified in subsection (1) of this section that is necessary to enable the  
18 department to exercise, on or after the operative date specified in subsection (1) of this  
19 section, all of the duties, functions and powers conferred on the department by section 1 of  
20 this 2017 Act.

21 **SECTION 4.** Section 2 of this 2017 Act is repealed on December 31, 2018.

22 **SECTION 5.** This 2017 Act being necessary for the immediate preservation of the public  
23 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect  
24 on its passage.

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