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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 259
DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

FILED
08/23/2021 8:22 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Designating Accrediting Bodies for Law Enforcement Agency Accreditation (House Bill 2162).

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/21/2021 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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NEED FOR THE RULE(S):

House Bill 2162, from the 2021 Legislative Session, establishes a requirement for Oregon law enforcement agencies with 35 or more sworn police officers to become accredited by an accrediting body. House Bill 2162 directs the Department of Public Safety Standards and Training (DPSST) to adopt a rule for the purpose of designating which accrediting bodies a law enforcement agency in this state may use to obtain the required accreditation.

This rule is needed for the DPSST to comply with the provisions of House Bill 2162.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

A copy of House Bill 2162 (also known as Chapter 611 of Oregon 2021 Laws) is available online at <https://olis.oregonlegislature.gov/liz/2021R1/Measures/Overview/HB2162>.

The Police Policy Committee and the Board on Public Safety Standards and Training meeting minutes are available on the Department of Public Safety Standards and Training website, www.oregon.gov/dpsst. The DPSST staff memos prepared for the Committee and the Board are available by submitting a records request to DPSST.

FISCAL AND ECONOMIC IMPACT:

There were no fiscal or economic impacts identified for the Board on Public Safety Standards and Training (BPSST) or the Department of Public Safety Standards and Training (DPSST).

There is an indeterminate fiscal impact for law enforcement agencies employing 35 or more sworn police officers to

comply with the accreditation requirements established by House Bill 2162. Factors that may impact the costs associated with the accreditation process include the criteria for accreditation, the length of the accreditation process, staffing, and fees charged by the accrediting body. All of these factors are impacted by the size of the law enforcement agency.

There are no anticipated fiscal impacts for a law enforcement agency that is already accredited through one of the designated accrediting bodies.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There were no fiscal or economic impacts identified for members of the public.

There were no small businesses identified as subject to the administrative rule changes, and therefore no fiscal impacts and no costs for compliance for small businesses.

The following entities will be affected by the rule change:

- o State agencies: Oregon State Police
- o City/County/Local Governments: City Police Departments and County Sheriff's Offices employing 35 or more sworn police officers

There is an indeterminate fiscal impact for law enforcement agencies employing 35 or more sworn police officers to comply with the accreditation requirements established by House Bill 2162. Factors that may impact the costs associated with the accreditation process include the criteria for accreditation, the length of the accreditation process, staffing, and fees charged by the accrediting body. All of these factors are impacted by the size of the law enforcement agency.

There are no anticipated fiscal impacts for a law enforcement agency that is already accredited through one of the designated accrediting bodies.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

There were no small businesses identified as subject to the administrative rule changes. Potentially affected entities were involved through their representation on the Police Policy Committee and the Board on Public Safety Standards and Training. Small businesses, as well as public and private safety agencies, law enforcement units, state agencies, units of local government, and the public are invited to submit written comments to the agency rules coordinator during the public comment period on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact on business.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

ADOPT: 259-008-0500

RULE SUMMARY: OAR 259-008-0500 is a proposed rule for adoption. The purpose of the rule is to designate which accrediting bodies a law enforcement agency in this state may use to obtain the accreditation required by House Bill 2162 from the 2021 Legislative Session.

CHANGES TO RULE:

259-008-0500

Law Enforcement Agency Accreditation

The Department designates the following bodies as accrediting bodies for the purpose of accrediting law enforcement agencies in this state:

(1) The Oregon Accreditation Alliance; and

(2) The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA).

Statutory/Other Authority: ORS 181A.410, Chapter 611 (2021 Laws)

Statutes/Other Implemented: ORS 181A.410, Chapter 611 (2021 Laws)