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PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 259

DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

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FILING CAPTION: Law Enforcement Agency Best Practice Policies for Interacting with Persons Who Have Experienced Trauma

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ADOPT: 259-008-0510

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RULE SUMMARY: DPSST is responsible for adopting rules to carry out the provisions in Section 2 of House Bill 2575 (ORS 181A.445). This includes establishing the date by which law enforcement agencies must adopt best practice policies for interacting with persons who have experienced trauma. This rule requires law enforcement agencies employing police officers to adopt their policies no later than January 1, 2024. The best practices adopted by DPSST and DOJ will be available to law enforcement agencies through the DPSST website and by request beginning on or just after January 1, 2023. This timeline provides law enforcement agencies one year to adopt their best practice policies. Once the best practice policies are adopted, full implementation of programs, resources and training may extend beyond January 1, 2024. In passing House Bill 2575 (ORS 181A.445) the Legislature recognized that not every agency has the same resources to carry out the identified best practices. The statutory requirement for law enforcement agencies to adopt appropriate best practice policies is interpreted as allowing an agency to set its policy in accordance with the agency's size and resource capacity.

The rule language includes DPSST interpretation that ORS 181A.445 is applicable to law enforcement agencies employing police officers. Without this distinction, there may be unintended requirements that apply to agencies employing other types of law enforcement officers such as the Department of Corrections and the Oregon Liquor and Cannabis Commission. However, nothing in the rule or the statute precludes a law enforcement agency from adopting best practices policies that apply to public safety officers other than, or in addition to, police officers.

CHANGES TO RULE:

259-008-0510

- Law Enforcement Agency Best Practice Policies for Interacting with Persons Who Have Experienced Trauma
- (1) No later than January 1, 2024, a law enforcement agency that employs police officers must adopt best practice policies for interacting with persons who have experienced trauma.
 - (2) DPSST, in consultation with the Department of Justice, must develop best practices that meet the criteria listed in ORS 181A.445(2). A copy of the best practices will be posted on the DPSST website.

Statutory/Other Authority: ORS 181A.445
Statutes/Other Implemented: ORS 181A.445