

**SENATE SPECIAL COMMITTEE ON BUDGET – 2005 SESSION
PUBLIC SAFETY SUBCOMMITTEE**

TAPE LOG

**Date: July 14, 2005
Tapes: 17B, 18A**

This tape log summarizes committee proceedings. For complete content and intent, please refer to tapes.

Tape / Counter	Speaker	Comments
Members Present: Senator Gordly, Chair, Senators Devlin, Winters		
Members Excused:		
TAPE 17B		
003	Chair Gordly	Calls the meeting to order at 2:05 p.m. Opens a work session on SB 301 (Exhibit #1) .
SB 301 – Relating to use of physical force – WORK SESSION		
007	Doug Wilson, Legislative Analyst	Provides background on SB 301. Refers to (Exhibit #2, memorandum dated 7/14/05 from Doug Wilson) and (Exhibit #3, staff measure summary on SB 301A dated 5/16/05 from Joseph O’Leary) . Notes amendment to the bill. Distributes materials from Pete Shepherd, Department of Justice (Exhibit #4, summary of SB 301A compared to status quo, dated 7/14/05 from Pete Shepherd) and (Exhibit #5, illustrations of financial incentives/funding dated 7/14/05 from Pete Shepherd) .
046	Chair Gordly	Requests that Mr. Shepherd offer an explanation of SB 301A and the action necessary to implement policy.
056	Pete Shepherd, Department of Justice	Offers history of the nature of the issue, how the issue is being addressed, and an overview of the proposal.
089	Shepherd	Discusses history of action taken on the issue by the interim task force on the use of physical force.
138	Shepherd	Continues explanation of task force meetings and findings.
156	Shepherd	Provides overview of SB 301A.
204	Shepherd	Explains state funding that is needed to allow local jurisdictions to carry out plans. Offers illustrations of local responsibilities.
246	Shepherd	Discusses inquest jury for the evaluation of the officer’s conduct.
280	Shepherd	Notes provision to bring matter to the grand jury, with the requirement to transcribe the meeting and make transcription available to the public.
297	Chair Gordly	Inquires if grand jury meetings are currently required to be recorded.
303	Shepherd	Relates that it is allowed, but not required. Continues testimony on requiring comprehensive examinations of the use of physical force.
348	Shepherd	Discusses prohibition of an agency being solely responsible for the investigation of its own officers. Explains that written conclusions of investigations will not be admissible in civil proceedings.
404	Shepherd	States that SB 301A does not require district attorneys to change their practices, only to plan for investigations.
TAPE 18A		
015	Shepherd	Continues explanation of costs to local jurisdictions, and a tracking system for costs, which will be grant/credit assisted.

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050	Sen. Winters	Notes other bills this session that address additional officer training, which are included in other budgets, such as the Department of Public Safety Standards and Training (DPSST).
060	Chair Gordly	Suggests making a link between increased training in DPSST and the policy issues regarding use of physical force.
071	Shepherd	Explains expanded program in DPSST as an important element in the big picture regarding use of physical force. Relates how SB 301A addresses the training issue.
115	Chair Gordly	Points out language on page two, lines 19-25 of the bill. Relates that additional training content includes cultural awareness, use of deadly force, gang awareness, terrorism, etc. States that there is an alignment between policy in SB 301A and the DPSST training.
134	Sen. Winters	Believes the connection needed to be made to make others aware of other content related to the issue being presented now.
151	Chair Gordly	Inquires about discussion in task force related to the provision of public inquest, which would continue until July 1, 2007, waiting on the planning processes around the state.
169	Shepherd	States intention to allow discretion for district attorneys regarding inquest option. Relates discussions in Judiciary between district attorneys who do not prefer the inquest option, and the trade off pending the planning of local jurisdictions.
211	Sen. Winters	Questions whether members of the community gave input on the inquest issue during the hearings. Comments on transparency so the public has a venue to get information up front.
223	Shepherd	States that community members were on the task force. Relates discussions of providing an accessible, comprehensive record for the public.
238	Chair Gordly	Inquires if that question was posed as a choice.
242	Shepherd	Responds that the choice was not given as one or the other, but the importance of transparency was emphasized, and a solution was sought from that point.
254	Chair Gordly	Questions the stance of the Albina Ministerial Alliance ad hoc committee on this broad subject. Inquires if bill is a consensus document.
270	Shepherd	Responds that he cannot claim that all members fully support the product, but believes there are no organizations that stand against it.
284	Chair Gordly	Inquires where the Alliance stands regarding the public inquest piece.
293	Shepherd	States that he cannot speak for them.
295	Gordly	Inquires if there was a specific conversation with them regarding this piece.
302	Shepherd	States that the process has been very open, and everyone has had an opportunity to comment, and no one has voiced objections.
313	Chair Gordly	Comments that the thoroughness of SB 301A and the quality of leadership is excellent.
325	Shepherd	Thanks the chair for her leadership, as well.
331	Sen. Winters	Acknowledges Sen. Gordly's leadership.

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345	Sen. Winters	MOVES that SB 301A be conceptually amended as follows: Page 11, line 1, insert \$300,000.
354	Chair Gordly	Vote: 3-0-0 Hearing no objections, conceptual amendment ADOPTED .
359	Sen. Winters	MOVES SB 301A as conceptually amended to the full Senate Special Budget committee with a DO PASS recommendation.
364	Chair Gordly	Vote: 3-0-0 Hearing no objections, motion CARRIES .
370	Chair Gordly	Closes work session on SB 301A. Adjourns the meeting at 3:00 p.m.