



NEWS FOR LAW ENFORCEMENT PROFESSIONALS

January 2022

Presumptive Disciplinary Actions

By Jeff Williams, Public Safety Human Resources Consultant

The Discipline Standards for Misconduct established by the Commission on Statewide Law Enforcement Standards of Conduct and Discipline (The Commission) went into effect, Sept. 30, 2022.

The Commission was established to create uniform conduct and discipline standards that apply to all law enforcement officials throughout the state. References and historical information regarding The Commission are available on the [Commission on Statewide Law Enforcement Standards of Conduct and Discipline website](#). ORS 243.809 (determinations regarding alleged misconduct of law enforcement officer in accordance with uniform standards) and ORS 243.812 (commission on statewide law enforcement standards of conduct and discipline; duties; members; establishment of standards; open hearings; reporting; rules) provides the statutory foundation for The Commission's work.

OAR Chapter 265, Division 10 (Discipline Standards for Misconduct) provides the standards and details for conduct and discipline. ([See Oregon Secretary of State Administrative Rules.](#)) Here is a list of the categories of conduct covered by OAR Chapter 265, Division 10:

- Sexual Assault ([265-010-0001](#))
- Sexual Harassment ([265-010-0005](#))
- Assault ([265-010-0010](#))
- Unjustified or Excessive Use of Force ([265-010-0015](#))

CIS' Public Safety Program provides specialized expertise to law enforcement agencies and fire departments.



citycounty insurance services
cisoregon.org

Siren Call

Continued from front



- Conduct that is Motivated by or Based on a Real or Perceived Factor of an Individual's Race, Ethnicity, National Origin, Sex, Gender Identity, Sexual Orientation, Religion, or Homelessness ([265-010-0020](#))
- Moral Character ([265-010-0025](#))
- Use of Drugs or Alcohol While on Duty ([265-010-0030](#))

Chapter [265-010-0035](#) lists aggravating and mitigating factors such as prior disciplinary history, intentional conduct, efforts to conceal or cover up conduct or behavior, etc.

We recommend reviewing the above OAR at the onset of any personnel investigation involving law enforcement personnel, which may touch on the above categories of conduct. We also recommend providing notices to employees regarding potential disciplinary action that are consistent with the ranges of disciplinary action established by OAR.

As always, your CIS Public Safety Team, Hire-to-Retire (H₂R) Team and Pre-Loss attorneys are available to support you as you navigate these employment situations.

We're here to help!

CIS PUBLIC SAFETY TEAM

Dan Brown, Law Enforcement Risk Management Consultant
(503)763-3837
dbrown@cisoregon.org

Sheila Lorange, Law Enforcement Corrections Risk Management Consultant
(503)763-3881
slorange@cisoregon.org

Jeff Williams, Public Safety Human Resources Consultant
(503)763-3882
jwilliams@cisoregon.org

HIRE -TO-RETIRE
(800)922-2684, ext. 7
H2R@cisoregon.org

PRE-LOSS LEGAL
(800)922-2684, ext. 7
preloss@cisoregon.org

.....

