

New proposal LESC OAR: 265-010-xxxx DRAFT

Misuse of Confidential Information or Records.

Misuse of a law enforcement confidential information, records or similar confidential source occurs when a law enforcement officer uses, accesses, distributes, modifies or engages in other related conduct contrary to rule of law, agency policy, or beyond the scope of a law enforcement purpose.

Example: LEDS violation.
Unauthorized release or review of Body Cam footage.

Presumptive Sanction: Suspension.
Aggravated: Termination
Mitigated: Written reprimand or Non-Disciplinary Corrective Action

Submitted by LESC Commissioner Schuback. 1-16-26

LESC Commissioner Anil Karia 4/2/26:

Interests:

- 1. Clear rule language for scope of “information or records.”*
- 2. Clear rule language for prohibited activities.*
- 3. Reasonable sanction ranges given very fact-dependent nature of inquiry. Example: viewing my partner officer’s BWC video on a call I was on without supervisory preapproval (a possible technical policy violation) versus running a LEDS criminal background check on a prospective business partner in a personal business venture.*

Used [OAR 257-015-0090](#), related to Law Enforcement Data System (LEDS), as a reference point.

Updated concept:

- “Law enforcement databases” are non-public, confidential information or records systems that are accessible by a law enforcement officer only by reason of their official law enforcement position.*
- Accessing, retrieving or using information from or through law enforcement databases for non-official or unauthorized purposes is prohibited.*
- Sanctions:*
 - Presumptive: Written reprimand.*
 - Aggravated: Suspension without pay, salary reduction, demotion, termination.*
 - Mitigated: Non-disciplinary corrective action.*