

Commission on Statewide Law Enforcement Standards of Conduct and Discipline
Codified ORS 243.812
Report to House Committee on Judiciary
September 1, 2026

Introduction

The following report is submitted pursuant to ORS 243.812, which directs the Commission on Statewide Law Enforcement Standards of Conduct and Discipline (the “LESC Commission” or “LESC”) to prepare and submit a report to the House Committee on Judiciary on an annual basis. ORS 243.812(14)(b) requires the report to include “information regarding the progress of each law enforcement agency and civilian or community oversight board, agency or review body, towards implementing and applying the uniform standards and the commission’s recommendations on updates to the standards, as are considered necessary.” This report does not set forth the specific rules adopted by the commission or instructions for the applications of those rules.

The LESC Commission and the Uniform Standards

LESC Commission Membership. ORS 243.812(2) specifies the makeup of the Commission membership and directs the Attorney General to appoint the non-legislative members of the Commission. The table below summarizes the current LESC Commission membership.

ORS 243.812(2) Demographic	Members
The Director of the Department of Public Safety Standards and Training or a designee from the department.	Phil Castle
The Attorney General or a designee from the Attorney General’s office (Chair of the Commission).	Jeff Howes, Chief Counsel, Criminal Justice
Member of the Senate	Senator Floyd Prozanski
Member of the House of Representatives	Representative Jeff Helfrich
Two members who are Chief Law Enforcement Officers	Chief George Burke Sheriff Angela Brandenburg
Two members who represent labor organizations who represent law enforcement officers.	Anil Karia Michael Lopez
Two members who represent historically marginalized groups or community-based organizations that represent communities impacted by policing.	Benny Williams Tarron Anderson
One member who represents a federally recognized Indian tribe or association of tribes within this state.	Chief Jacob McKnight
Two members who are representatives of local government to represent the interests of cities and counties.	Steven Schuback Dave Henslee
One member who represents public defender organizations established under ORS chapter 151 or the Oregon Criminal Defense Lawyers Association.	Kristen Winemiller
One member who represents the interests of prosecutors in this state.	Kelsie J. Davis McDaniel

The LESC Executive Director is an Operations and Policy Analyst 4 position authorized by the Oregon Legislative Assembly granted to the Oregon Department of Justice. This position is located in the Criminal Justice Division of DOJ and dedicated full-time to the work of the Commission. Lauri Stewart has been the Executive Director since September 2024.

LESC Rule Making

Proposed Rule Amendments. ORS 243.812 specified a minimum of seven initial areas of misconduct LESC rules must address at a minimum. It also specified the on-going requirement for the Commission to review its rules at least every two years. Accordingly, in November 2024 the Commission began the process of reviewing the existing rules for each of the seven initial areas of misconduct, work that continued through 2025.

In developing the original rules, the initial focus for the Commission was on misconduct that would result in either mandatory or presumptive termination. In reviewing those rules, the Commission:

- Reviewed all stakeholder feedback and comments received on the current rules;
- Reviewed each rule for clarity and sufficiency of definitions,
- Considered whether the range of presumptive, maximum and minimum sanctions still appeared to be a good fit in practice to the actual range of behaviors constituting misconduct to which those rules are applied.

The Commission formed subcommittees for each of the first 4 rules under consideration to review and discuss in depth, and to develop recommendations for the entire commission to make final decisions on proposed updates in subsequent meetings.

The review process was completed in stages between September 2025 and April 2026 when the last of the proposed amendments were approved for commencing the Notice of Proposed Rulemaking (NPRM) process.

In that careful review process, the commission identified the following rules for revision:

1) OAR 265-010-0015 Unjustified or Excessive Use of Physical or Deadly Force;

The Commission voted to amend the rule to broaden the range of cases to which the rule would apply beyond only those cases that result in death or serious physical injury, and adjust the range of sanctions

2) OAR 265-010-0001 Sexual Assault;

The Commission voted to amend the rule (1) to separate sexual assault that constitutes a sex crime from sexual assault that does not, and to accordingly adjust the sanctions for each category.

3) OAR 265-010-0010 Assault;

The Commission voted to amend the rule to define conduct that would result in a mandatory sanction of termination from conduct to which a range of potential discipline might apply.

4) OAR 265-010-0025 Moral Character.

The Commission voted to amend the rule to add an additional type of Misuse of Authority. The rule previously included only “misuse of authority for financial gain.” The new language also includes “Misuse of authority by soliciting or engaging in sexual acts or favors of a sexual nature.”

5) OAR 265-005-0001 Definitions

Amendments were developed for a fifth rule (definitions) to align and support the aforementioned rule changes. The rule was amended to add the following definitions, which were not previously defined:

- “Excessive force”
- “Knowingly” or “with knowledge”
- “Misuse of Authority by soliciting or engaging in sexual acts or favors of a sexual nature”
- “Non-Disciplinary Corrective Actions”
- “Recklessly.”

The rule was also amended to revise the following definition to align with definitions in Rule rather than in statute:

- “Intentionally” or “with intent.”

Finally, the addition of new definitions required the definitions to be renumbered.

Providing Notice of Proposed Rulemaking

The Commission has adopted OAR 265-001-0005. Commission staff filed the Notice of Proposed Rulemaking (NPRM) with the Secretary of State on April 28, 2026. The notice was published in the May 1, 2026, Oregon Bulletin. In addition to posting information on the LESC website, Commission staff emailed copies of the NPRM, which includes detail on the proposed rule amendments, to the individuals and entities identified in OAR 265-001-0005. In addition to the Legislature and the media, this includes sheriffs, chiefs of police, Corrections and Community Corrections, civilian review bodies, the Oregon Association of Counties, District Attorneys, and all members of the public who have requested notification.

Public Hearings

The Commission scheduled four public hearings to receive comment on the proposed rules. The hearings were both in person and virtual. The dates and locations of the hearings were:

- July 7, 2026: 800 SE Emigrant, Suite 310, Pendleton
- July 8, 2026: 150 NW Pacific Park Lane, Suite 100, Bend
- July 13, 2026: 100 SW Market St., Portland
- July 15, 2026: 2440 NW Troost St., Ste 100, Roseburg

Final adoption of proposed amendments to LESC Rules

After consideration of input from the Public Comment period, the LESC Commission voted to adopt(?) the proposed amendments to the Rules described above.

Proposed New Rules

The LESC also voted to propose a new rule, “Misuse of Confidential Information.” We will be filing a Notice of Proposed Rulemaking, scheduling public hearings and soliciting public comment for that rule shortly.

Finally, the LESC is currently preparing to vote on whether to propose two new rules, “Duty to Intervene” and “Duty to Report.”

Providing Notice of Uniform Standards

Website: Commission staff publish information about substantive changes to the Rules on the LESC website, in addition to emailing information to our stakeholders informing them of the changes to the Rules, and of updates to the LESC Guide for the application of those Rules. We also maintain the public-facing [LESC Commission](#) website. In addition to information about the Commission’s public meetings and rulemaking activities, the site includes Frequently Asked Questions with resources for Law Enforcement Agencies and officers, those involved in arbitration, and for the general public. The website also contains all the materials the Commission considered in developing and reviewing the standards, and instructions for how the public can comment and participate in the commission’s meetings and the rulemaking process.

Outreach and training materials: Commission staff continue to review and update existing outreach materials, including handouts and PowerPoint displays, and developing new materials for training and outreach.

Narrative Guide: The Commission maintains the [Guide to the LESC Rules](#). The guide is available on the LESC Commission website at [LESC - Oregon Department of Justice](#). The purpose of the guide is to assist stakeholders, including law enforcement officers, law enforcement agencies, disciplining bodies, and the public, in understanding the uniform standards and how they are to be applied.

Outreach and Informational Presentations since September 2025

Current Chair Jeff Howes, former Chair Michael Slauson and Director Stewart presentations about the Commission and its work, current rules, applicability, and definitional updates to the following groups:

- **Oregon District Attorney Association (ODAA)** – Elected DA Meeting, December 2025
- **Oregon State Sheriff’s Association (OSSA)** – Elected Sheriff Meeting, December 2025?
- **Oregon Association of Chiefs of Police (OACP)** – Executive Leadership Conference, January 2026
- **LESC Public Hearings** - The previously mentioned Public Hearings for Rulemaking, in Pendleton, Bend, Portland and Roseburg in July 2026.

- **State-Tribal Public Safety Cluster (STPSC) Meeting**, April 2026
- **Eugene Police Department** “Ethics and the LESC” training presentation for 200 officers, 4 days, Sept 2025 (EPD Training).
- **Oregon State Police** CJIS Division, April 2025
- **Ashland PD**, April 2026
- **Association of Oregon Counties**, January 2026, informational presentation to increase awareness of the Commission’s work and how it may affect officers and agencies they oversee.
- **Curry County** outreach Sept 2025
- **Oregon Association of Community Corrections Directors** 2025
- **DOC Senior leadership**; various dates

Outreach through the annual survey: Links to the LESC Rules, the Guide to the LESC Rules, and to additional information on the LESC website, were emailed to district attorneys, police chiefs, sheriffs, Tribal governments, Civilian review and oversight organizations, Corrections and Community Corrections organizations, Oregon County and City associations, as part of our annual survey invitation beginning in July, 2026.

Progress of Agencies in Implementing and Applying Standards

Implementation Database:

Commission staff developed a database to track Agency implementation and application of LESC rules by all Law Enforcement, Corrections and Community Correction Agencies and disciplinary bodies subject to those rules. It tracks steps taken to adopt policy, types of conduct subject to disciplinary action, outcomes of those cases, application of rule in disciplinary cases, sanctions applied, whether any went to arbitration, and if so, how these were resolved. The database contains data collected from law enforcement agencies from 2023 through 2025.

Statewide Implementation Surveys:

Commission staff requested information from law enforcement agencies on their progress in implementing and applying the standards since July 2025. Staff sent electronic surveys to 222 law enforcement, corrections and civilian oversight agencies and district attorneys at the end of July, with follow up requests on August 10, 2026. Recipients were informed that their responses would become part of this report and be made public. There were ____ responses to the survey, a return rate of over ____% of all agencies surveyed. This was significantly ____ than previous annual survey return rates.

The tables below summarize the survey questions and the responses to each question. Survey responses are also attached as Exhibit 1.

Placeholder: Law Enforcement Agency Survey Results

Section 1: Adoption of the standards

What has your agency done to implement the statewide standards of conduct?	Number of agencies reporting

Please identify any obstacles to implementing statewide standards of conduct and discipline?	Number of agencies reporting

Section 2: Application in Disciplinary actions

How many individual disciplinary matters or investigations of sworn officers have you concluded or resolved in your agency in the past year?						
None	One	Two - four	Five - nine	10-19	20-49	50+

Types of Conduct Reported as Resulting in Disciplinary Investigations

Of _____ responding agencies that reported having had disciplinary cases in the last year, _____ agencies reported having cases that involved types of conduct covered by LESC rules, as compared to _____ agencies who reported disciplinary matters for conduct that is *not* covered by LESC rules.

Of types of conduct covered by LESC rules, the most frequently reported single categories of offense that agencies reported as the subject of disciplinary matters are shown in the table below. Most common was Lack of Good Moral Character (reported by _____ agencies), followed by Sexual Harassment _____ (_____ agencies), and Unjustified Use of Physical Force _____ (_____ agencies)

_____ responding agencies in the 2026 survey reported disciplinary matters involving Assault or Unjustified Use of Deadly Force.

Of those matters concluded or resolved in the past year, what types of issues or conduct were investigated?	Number of agencies reporting

Other Types of Conduct reported

Analysis

Of all individual conduct categories reported, the single largest category of conduct types reported that resulted in disciplinary matters, in over two-thirds of responding agencies, was “Other” – meaning types of conduct not currently addressed by LESC rules.

Breaking that large category down further, of the 38 agencies that reported disciplinary matters involving types of conduct not addressed by LESC rules, most conduct described fell into the following general groups:

- Policy or procedure violations,
- Job performance, vehicle use, competence, punctuality,
- Neglect of duty, failure to act or to act properly,
- Integrity, Judgment, Decision making issues
- Attitude or courtesy issues,
- Failure to properly investigate, work performance impacting evidentiary and discovery processes, unlawful search and seizure.
- Miscellaneous

This question was asked to gather very rough data to provide a sense of the range of types of conduct not currently covered by LESC rules, that commonly result in discipline across the state. It is hoped this may be helpful data for commissioners in considering priorities for expanding LESC rules.

Please specify “Other types of conduct” (not covered by LESC rules) that were the subject of disciplinary matters in the past year:

Section 3: Discipline

Were the Statewide Standards of Conduct and Discipline (OAR 265) applied in any of the matters concluded or resolved in the past year?

Did your agency apply the Statewide Standards of Conduct and Discipline (OAR 265) in any of the matters concluded or resolved in the past year?

Number of agencies reporting

Did any matter(s) in which you applied the statewide standards of conduct and discipline result in sustained findings?	Number of agencies reporting
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Did any sustained findings in the matter(s) above result in discipline? (Discipline is defined as termination, economic sanctions such as demotion or suspension, or written reprimand)	Number of agencies reporting
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What level of sanction did your agency impose?	Number of agencies reporting
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Arbitration

Did your agency conclude arbitrations for any disciplinary matters in the last year?
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What were the results of arbitration?	Number of agencies reporting
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Section 4: Agency Comments and Recommendations

The survey also invited law enforcement to provide feedback or suggestions for updates to the standards of conduct and the standards of discipline.

Do you have any additional comments regarding your agency's application of the standards? (I.e., disciplinary investigations, findings, disciplinary actions, use of mitigating/aggravating factors, or arbitration?)

Do you have any recommendations for the Commission? (i.e., regarding possible improvements, changes or additions to the uniform standards of Conduct and Discipline, how to make the standards or guide easier to use, or how to better support your agency in implementing the standards?)

Is there anything else we haven't already asked that you would like to address?

All agency responses to those questions are included in Exhibit 1.

Public Comments and Recommendations

Members of the Public. Commission staff sent an electronic survey to members of the public and organizations that participated in the rulemaking process. Twenty-four individuals and organizations received the survey. This survey asked for public comments and general feedback for the LESC Commission. Recipients were informed that their responses would become part of this report and be made public. This year only three public responses were received. Two of the three contained specific recommendations that will be shared with commissioners.

The Public feedback we received is summarized below and attached as Exhibit 2.

Public Survey Responses - Summaries

Future Priorities and Conclusion

Having completed revisions to existing LESC rules, the LESC will continue to focus on new rules. The LESC will be filing a Notice of Proposed Rulemaking for the newly proposed new rule, "Misuse of Confidential Information," and scheduling public hearings and soliciting public comment for that rule this coming autumn.

The LESC expected to shortly also be voting on two more new rules, "Duty to Intervene" and "Duty to Report." If approved, we will initiate the Rulemaking process and public hearings for those new Rules as well.

Revisions to the LESC Guidebook are also underway to align with the new rule language and further develop guidance content in alignment with rule and statute, in response to stakeholder feedback, and in the spirit of continuous improvement.

The LESC Commission is also considering priorities for development of additional new rules and procedures, along with development of a formal Commission Mission statement.

We also intend to expand outreach, training efforts, and stakeholder engagement efforts in the coming year to increase awareness and understanding of LESC Rules, and to provide additional guidance and resources on their correct application by all Law Enforcement groups now subject to LESC Rules.