

DEPARTMENT OF JUSTICE

INTEROFFICE MEMO

DATE: July 28, 2026

TO: Commission on Statewide Law Enforcement Standards of Conduct and Discipline

FROM: Lauri Stewart, Executive Director

SUBJECT: Presiding Officer's Report on Rulemaking Hearings

The Commission on Statewide Law Enforcement Standards of Conduct and Discipline ("the LESC") filed a notice of proposed rulemaking on April 28, 2026, which was published in the May 1, 2026, Oregon bulletin. The notice solicited public comment at four scheduled rulemaking hearings in different regions of the state as well as written comments (online, by mail or email.) The hearings occurred as scheduled, although the final hearing ended 20 minutes early due to technical difficulties. I served as the hearings officer. Public attendance at the hearings was available both in person and virtually.

Members of the public were asked to register in advance if they wished to make a public comment at the hearing. Time was allotted so that after those who had registered in advance testified, other attendees would be permitted to make public comments. All people who expressed a desire to make a public comment were invited to do so. Attendees were told that the hearings were being recorded.

All hearings were recorded and are available on the Commission's website.

Summary of Oral Comments

Hearing Date and Time: July 7, 2022, at 1:00 pm
Hearing Location: Oregon Department of Justice, Pendleton
Virtual via Zoom

No members of the public attended the hearing in person. A police chief and a lieutenant attended virtually but did not have any comments at the hearing.

Hearing Date and Time: July 8, 2026, at 1:00 pm
Hearing Location: Oregon Department of Justice, Bend
Virtual via Zoom

No members of the public attended the hearing in person. One person attended virtually, and the following testimony was received virtually.

Marc Poris attended and commented virtually (*video time stamp 5:11*). He noted that he didn't think he'd seen an email recently about the hearings and he suggested sending out another email to the list to remind people of them.

Hearing Date and Time: July 13, 2026, at 6:00 pm

Hearing Location: Oregon Department of Justice, Portland
Virtual via Zoom.

No members of the public attended the hearing in person. One person attended virtually, and the following testimony was received virtually.

Linda Mystic Healer testified virtually (*video time stamp 5:49*). She did not provide testimony related to the rule changes, but spoke broadly of her background in alternative healing modalities, and suggested that these modalities might reduce violence in the world.

Hearing Date and Time: July 15, 2026, at 1:00 pm

Hearing Location: Oregon Department of Justice, Roseburg
Virtual via Zoom

No members of the public attended the hearing in person or virtually. The hearing had to conclude 25 minutes early due to technical difficulties.

Summary of Written Comments

1. LESC Commissioner Steven Schuback submitted written testimony based on discussion with colleagues recommending a change to the proposed definition for "excessive force." The written testimony is attached as Exhibit 1.

From: [Steven Schuback](#)
To: [LESC](#)
Cc: [Lauri K Stewart](#)
Subject: Public Comment submission
Date: Wednesday, July 1, 2026 11:56:27 AM

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Please accept this as public comment for LESC rulemaking.

In regard to OAR 265-005-0001(8) and the definition for “excessive force,” the pending definition includes the terms “*constitutionally permissible*” force policy. Use of force policies for law enforcement agencies are already titled “use of force” or similar. Upon review and discussion with colleagues, the additional characterization of “constitutionally permissible” is confusing because it implies an additional layer or condition needed for an individual agency’s policy. Use of force policies are all written and adopted by law enforcement agencies based on the legal use of force and constitutionally permissible actions, including also based on court caselaw. Agencies also are subject to state wide accreditation standards that adhere to the lawful use of force. The additional descriptive terms are unnecessary and repetitive to the primary use of force policies that already exist. The intent of the definition is to point to a law enforcement agency’s general use of force policy to determine if a policy violation occurred, rather than create confusion that there is some other policy to look at. I recommend the terms “constitutionally permissible” be withdrawn.

Thank you for the opportunity to provide input.

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