

**LESC Moral Character Subcommittee**

**12-9-25 meeting notes**

Draft rule change based on prior discussions

**updated 1-12-26 to reflect last discussion**

**New proposed addition to OAR 265-010-0025: Moral Character:**

**(i) Misuse of Authority by soliciting or engaging in sexual receiving acts or favors of a sexual nature.**

**265-005-0001(xx):** Definition: Misuse of Authority by soliciting or receiving sexual acts or favors occurs when a law enforcement officer, within the scope of their employment, color of authority, or stemming from a law enforcement encounter or action, solicits or engages in sexual receives acts or favors of a sexual nature from another individual, including, but not limited to, a person detained or in custody, victim, witness, or person associated with a law enforcement encounter.

This conduct includes, but is not limited to, soliciting acts or favors of a sexual nature for the benefit of themself (or other), or action in exchange for leniency, forbearance, or other benefit given to the individual as related to a law enforcement action, process, or consequence. This definition is broadly construed.

This definition is not intended for circumstances of consensual relationships without misuse of authority. A person detained or in custody cannot provide consent.

**Sanction: Mandatory termination.**

## **OTHER: New Business**

### **New proposal OAR:**

#### **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 other similarly related conduct contrary to policy or beyond the scope of a law enforcement purpose.

Example:      LEDS violation.

                  Unauthorized release or review of Body Cam footage.

Presumptive sanction:      Maybe: written reprimand or suspension.

                  Mitigation to counseling

                  Aggravation to termination

Discussion notes:      -Review confidential records policies

*Draft concepts for discussion 12-9-25. Submitted by LESC Commissioner Schuback.*