

Arrest and Related Procedures

ORS 133.405

Definitions for ORS 133.405 to 133.408

• provision of law enforcement services

- (1) As used in ORS 133.405 (Definitions for ORS 133.405 to 133.408) to 133.408 (Application of ORS 133.405 and 133.407):
- (a) “Adjoining state” means California, Idaho, Nevada or Washington.
 - (b) “Certified peace officer” means a regularly employed peace officer or police officer from an adjoining state, including a peace officer or police officer employed by a local government of an adjoining state.
 - (c) “Employing agency” means a state or local government of an adjoining state that employs a certified peace officer.
- (2) A certified peace officer is a peace officer and a police officer in this state when:
- (a) The officer enters this state in order to provide, or attempt to provide, law enforcement services described in subsection (3) of this section; and
 - (b) The law enforcement services occur within 50 miles from the contiguous border of this state and the adjoining state where the officer is employed.
- (3) Subsection (2) of this section applies when the certified peace officer is providing, or attempting to provide, law enforcement services under any of the following circumstances:
- (a) In response to a request for law enforcement services initiated by an Oregon sheriff, constable, marshal, municipal police officer or member of the Oregon State Police.
 - (b) In response to a reasonable belief that emergency law enforcement services are necessary for the preservation of life, and a request for services by an Oregon sheriff, constable, marshal, municipal police officer or member of the Oregon State Police for those services is impractical to obtain under the circumstances. The certified police officer shall obtain authorization from an Oregon law enforcement agency having jurisdiction over the location where the services were provided as soon as is practicable after the services have been provided.
 - (c) For the purpose of assisting an Oregon sheriff, constable, marshal, municipal police officer or member of the Oregon State police in providing emergency service in response to criminal activity, traffic accidents, emergency incidents or other similar public safety problems, whether or not an Oregon sheriff, constable, marshal, municipal police officer or member of the Oregon State Police is present at the scene of the incident.

- (4) When a certified peace officer exercises any authority granted under this section, the officer shall submit, as soon as is practicable, a written report concerning the incident to the Oregon law enforcement agency having primary jurisdiction over the geographic area in which the incident occurred. Oregon law enforcement agencies may establish reporting procedures and forms to facilitate reporting required under this subsection.
- (5) This section does not confer upon a certified peace officer the authority to enforce Oregon traffic or motor vehicle laws. [2011 c.472 §1]

Note: 133.405 (Definitions for ORS 133.405 to 133.408) to 133.408 (Application of ORS 133.405 and 133.407) were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 133 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

Location: https://oregon.public.law/statutes/ors_133.405

Original Source: Section 133.405 — Definitions for ORS 133.405 to 133.408; provision of law enforcement services, https://www.oregonlegislature.gov/bills_laws/ors/ors133.html (last accessed Jun. 26, 2021).