

OCDLA's 2009 Bills

#	Summary
1	Amend ORS 151.216(1)(f)(C) (Public Defense Services Commission duties) to provide that PDSC policies, procedures, standards and guidelines include "compensation of public defense providers [attorneys and non-attorneys] commensurate with their counterparts in government service." SB 255
2	Require that grand jury proceedings be on the record. (2007 SB 291) SB 254
3	Require that statement made by defendant during custodial interrogation be recorded electronically to be admissible as evidence against defendant; provides exceptions; and applicable to juveniles. (2007 SB 323 with changes) SB 253
4	Modify Criminal Justice Commission's method of calculating criminal history and consecutive sentences under certain circumstances (reverses <i>State v. Bucholz</i> , 317 Or 309 (1993) and <i>State v. Miller</i> , 317 Or 297 (1993)). (2007 SB 1009) SB 252
5	Create Task Force on Eyewitness Identification to study collection and handling of eyewitness identification evidence in criminal investigations. (2007 SB 1010) HB 2322
6	Modify certain property offenses by increasing value threshold of property. (2007 HB 2344) HB 2323
7	Grant court discretion to allow persons to enter substance abuse diversion program under certain circumstances. (SB 1008) HB 2324
8	LC Draft Request #8 WITHDRAWN 11/5/08
9	Amend ORS 137.225 (expungement) to permit a person to have record of arrest expunged if person was arrested for state or municipal traffic offense and either no accusatory instrument was filed or if one was filed but then dismissed or if one was filed and the person was acquitted. Specifically provide that arrests for DUll where a dismissal occurs as a result of successful completion of a DUll diversion program (ORS 813.250(1)) are not eligible for expungement. HB 2328
10	Amend ORS 163.575(1)(b) -- Endangering Welfare of a Minor -- change "place" to "immediate vicinity" and change "unlawful" activity to "criminal" activity in ORS 163.575(1)(b). HB 2329
11	Require preservation and discovery of notes, memoranda and audio recordings of victim and state witness statements. SB 294
12	Death penalty -- statutory requirement, DA must file written notice of election to seek the death penalty. SB 295
13	Require defense counsel access to CCHs/LEDS through DA discovery. SB 250
14	Allow court to treat unlawful manufacture of marijuana as a Class A misdemeanor if less than a certain quantity is involved; and PCS, DCS and MCS Marijuana conviction -- move from SG level 8 to level 6. SB 249
15	<i>Rutley</i> fix for Felon in Possession of Firearm. HB 2314
16	Amend Felon in Possession of a Restricted Weapon and Unlawful Possession of a Weapon each to include ORS 166.270(4) FIPFA exception. HB 2330
17	Amend ORS 802.179(18) -- exemption from prohibition on release of personal information from motor vehicle records to licensed private investigators to add photographs on DMV licenses and IDs. HB 2327

Note: The following bills are Judiciary Committee bills: unanimous jury, amendment to ORS 136.450 (2007 SB 289) **SB 293**; racial and ethnic impact of prison-related legislation and rulemaking (2007 HB 2933) **HB 2352**; and jury shall be informed of sentence in M11 cases (2005 HB 2986 narrowed) **SB 296**.