

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	8 - 0 - 1
<b>Yeas:</b>	Barker, Bonamici, Cameron, Komp, Krieger, Read, Whisnant, Macpherson
<b>Nays:</b>	0
<b>Exc.:</b>	Flores
<b>Prepared By:</b>	Darian Stanford, Counsel
<b>Meeting Dates:</b>	1/31, 4/24

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**WHAT THE MEASURE DOES:** Expands crime of providing false information to an officer to include giving false information for purpose of arrest based on probable cause.

**ISSUES DISCUSSED:**

- False statements where officer is arresting someone based on probable cause that a crime has been committed rather than arresting someone based on a warrant.

**EFFECT OF COMMITTEE AMENDMENT:** Replaces “arrest warrant issued under authority of ORS 133.110 or 133.120” with “a warrant;” (includes bench warrants, arrest warrants, and probation warrants).

**BACKGROUND:** ORS 162.385 makes it a crime to provide false information to a peace officer in either of the following two situations: (1) the officer is attempting to cite the person for an offense (meaning the officer simply intends to provide a written citation and then send the person on his way); or (2) the officer is attempting to arrest the person on a previously issued arrest warrant. Presently, the false information statute does not encompass a situation when the officer intends to arrest the person (rather than a mere citation) and the person does not have a previously issued arrest warrant.

HB 2342 amends ORS 162.385 to encompass this conduct.

4/27/2007 4:13:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*