

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass
Vote: 4 - 0 - 1
Yeas: Kruse, Prozanski, Walker, Burdick
Nays: 0
Exc.: Beyer
Prepared By: Matt Kalmanson, Counsel
Meeting Dates: 1/23

WHAT THE MEASURE DOES: Allows an operator of an “assistive communication device” for a juror with a disability to be present during jury deliberations, so long as the person does not participate in the deliberations except to facilitate communication between the jurors. Deletes provision requiring parties to stipulate and prepare jury instructions regarding assistant’s attendance during deliberations. Requires the court to instruct the jury on the presence of the person assisting the juror with a disability. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Work of Joint Task Force on Access to State Court for Persons with Disabilities
- Federal disabilities law

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 10.115 allows a “qualified interpreter” to be present during jury deliberations to assist a juror with a speech or hearing impairment. SB 270 broadens the statute to allow “a person operating an assistive communication device,” such as real-time captioning equipment, to be present as well. This is required by federal disabilities law.