

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, statement not yet issued

Action:	Do Pass as Amended and Be Printed Engrossed and Rescind Subsequent Referral to Ways and Means
Vote:	10 - 0 - 0
Yeas:	Garrett, Hicks, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger
Nays:	0
Exc.:	0
Prepared By:	Aaron Knott, Counsel
Meeting Dates:	4/20

WHAT THE MEASURE DOES: Modifies consultation requirements between a crime victim and the district attorney regarding settlement. Extends the time during which a crime victim can make a request that the court reconsider a release decision. Extends the time during which a crime victim can allege a violation of sec. 42 and 43 of Article I of the Oregon Constitution.

ISSUES DISCUSSED:

- Existing district attorney obligation to notify the court regarding the victim's presence in the court room
- Potential workload increase on deputy district attorneys
- Rights claims available to crime victims under sec. 42 and 43 of Article I of the Oregon Constitution

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: Sections 42 and 43 of Article I of the Oregon Constitution detail the procedural and substantive rights granted to crime victims. House Bill 2663 A modifies several of the procedural statutes underpinning these sections. Section 1 modifies the obligations of a district attorney to consult with a crime victim by requiring the prosecuting attorney to notify the court at the beginning of every judicial settlement conference, plea hearing or sentencing whether the victim is present and, if not, whether the victim was informed of the conference. House Bill 2663 A requires the prosecuting attorney to make a reasonable effort to consult the victim before making a plea offer and before entering into a final plea agreement.

Sec. 2 and 3 of House Bill 2663 A extend the right of victims to make a request to reconsider a release decision of a defendant or to allege a violation of the portion of the Oregon Constitution pertaining to victim's rights. Currently, a victim has only seven days from learning of a release decision or constitutional violation. House Bill 2663 A extends this to 30 days.