

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, not statement issued**

---

**Action:** Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)

**Vote:** 5 - 0 - 0

**Yeas:** Bonamici, Dingfelder, Kruse, Whitsett, Prozanski

**Nays:** 0

**Exc.:** 0

**Prepared By:** Aaron Knott, Counsel

**Meeting Dates:** 5/18, 6/1

---

**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:**

- Issues with service of notice in interlocutory appeal cases
- Consultation obligations between district attorneys and crime victims
- Effect of an invocation of rights by a crime victim

**EFFECT OF COMMITTEE AMENDMENT:** Applies consultation requirement to violent felonies. Allows for notice of interlocutory appeal to be sent by electronic mail or facsimile in addition to any other method authorized by law.

**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 B 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 B also 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 in all cases involving a violent felony.

Sec. 2 and 3 of House Bill 2663 B 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 B extends this to 30 days.

ORS 147.537 contains the requirements of filing notice of interlocutory appeal. House Bill 2663 B allows for notice of interlocutory appeal to be sent by means beyond personal service, including electronic mail and facsimile transmission in addition to any other method authorized by law.