

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 5 - 0 - 0
Yeas: Bonamici, Dingfelder, Kruse, Whitsett, Prozanski
Nays: 0
Exc.: 0
Prepared By: Aaron Knott, Counsel
Meeting Dates: 2/8, 3/15

WHAT THE MEASURE DOES: Requires the judge to appoint a stenographic reporter for proceedings in aggravated murder trials. Requires costs be paid by the office of the State Court Administrator.

ISSUES DISCUSSED:

- Reliability of stenographers versus other recordation systems
- The cost of stenographers
- Problems with existing audio recording systems

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 8.340 discusses court reporters. In relevant part, the court reporter is an officer of the court that keeps the official record or transcript of the relevant proceedings. Presently, there are two acceptable methods for this recording: (1) accurate notes via shorthand or by a mechanical or typing device (stenograph); or (2) audio recording. The choice of which method to utilize and the details of how the method is implemented is left to the individual court within the framework of policies and procedures promulgated by the State Court Administrator.

Proponents of the bill argue that the differentiation across counties in both the qualities and format of audio recording equipment can lead to transcription errors and content loss, and that transcripts are generated as a matter of course in many aggravated murder trials because they are subject to automatic appeal as capital cases (see Or. R. App. P. 12.12), which would mitigate the additional cost of appointing a stenographer in lieu of a transcriber of the audio record.