

OREGON DISTRICT ATTORNEYS ASSOCIATION, INC

OPPOSITION TO HB 2603

March 5, 2013

Dear Members of the House Judiciary Committee:

This bill requires gray machines seized during an investigation to be returned if prosecution is not commenced within 6 months. This effectively creates a new statute of limitations of only six months for this crime. There are scenarios one could image where it would take over 6 months to fully investigate this crime. For example, the gray machine might be a small but significant part of an organized crime case where the investigation may run well in excess of six months. There is also the possibility that this statute may require law enforcement to return contraband. there is no compelling reason to give people who operate gray machines rights not enjoyed by owners of any other contraband. Finally, there are existing provisions in the law to compel law enforcement to return property seized.

Sincerely,

Doug Harclerod
Executive Director