

REVENUE: No revenue impact

FISCAL: No fiscal impact

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Action: Do Pass  
Vote: 4 - 0 - 1  
Yeas: Close, Kruse, Roblan, Prozanski  
Nays: 0  
Exc.: Dingfelder  
Prepared By: Anna Braun, Counsel  
Meeting Dates: 2/4

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**WHAT THE MEASURE DOES:** Removes requirement that a jury must distrust a witness who testifies falsely in one part of his or her testimony.

**ISSUES DISCUSSED:**

- Provisions of the measure.

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Current Oregon Uniform Criminal Jury Instructions state that witnesses must be distrusted if a jury finds they have been false in one part of their testimony. The Oregon Supreme Court decision in *Ireland v. Mitchell*, 226 Or 286, 290, 359 P2d 894 (1961) held that jurors may distrust such a witness, but are not obligated to do so. Senate Bill 55 conforms the statute to the Supreme Court ruling and current practice.