

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Close, Dingfelder, Kruse, Roblan, Prozanski

Nays: 0

Exc.: 0

Prepared By: Anna Braun, Counsel

Meeting Dates: 2/28, 3/28

WHAT THE MEASURE DOES: Allows court to issue warrant for mobile tracking device to violations of commercial fish, wildlife, outfitters and guide laws. Allows extensions in 30-day increments. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Length of time of warrant
- Return of warrant procedures
- Privacy issues

EFFECT OF COMMITTEE AMENDMENT: Restricts the mobile tracking device warrant to 30 days unless a court grants an extension upon an application that state reasonable explanation for failure to achieve results and probable cause still exists. Allows multiple extensions by judge.

BACKGROUND: Currently, ORS 133.619 allows a mobile tracking device certain for felonies and unlawfully transporting metal and drugs. Senate Bill 186 A allows a court to issue a warrant for the installation or tracking of a mobile tracking device when the investigation involves the alleged violation of the wildlife, commercial fish, or outfitters and guide laws. Such offenses often involve travel over hundreds of miles and in remote locations, making surveillance difficult and expensive.