

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 3 - 0 - 2

Yeas: Dingfelder, Kruse, Prozanski

Nays: 0

Exc.: Close, Roblan

Prepared By: Anna Braun, Counsel

Meeting Dates: 5/9

WHAT THE MEASURE DOES: Removes requirement that oral statements supporting search warrants be transcribed. Requires oral statements be recorded and a copy provided to and retained by the judge who took the oral statement. Requires District Attorney to retain copy. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 133.545 provides the rules governing issuing search warrants. Search warrants can only be issued by a judge and generally must be supported by a written affidavit by the district attorney, police officer, or special agent employed under ORS 131.805. A judge can take an oral statement but it must be recorded and transcribed. House Bill 3286 A removes the requirement that the oral statement be transcribed.