

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: Provides process for required disclosure of witnesses in post-conviction relief cases. Requires written report, unless otherwise ordered by the court. Clarifies that witnesses may appear by affidavit or declaration. Follows timelines established by the court. Mandates disclosure for petitioner and defendant. Protects victims from disclosure requirements.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Post-conviction relief is a process to review errors in criminal conviction and sentencing. Post-conviction relief cases are governed by the Oregon Rules of Civil Procedure (ORCP). No disclosure of witnesses or the content of expert witnesses' testimony is required under Oregon civil procedure which has been characterized as "ambush" practice. House Bill 3287A does not change the ORCP but provides an exception for post-conviction relief cases.