

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Channa Newell, Counsel

Meeting Dates: 3/26

WHAT THE MEASURE DOES: Requires public employer of arresting officer to pay for qualified interpreter for person with disability upon arrest. Removes requirement that person with disability make verified statement and provide information in writing under oath, following arrest, as to inability to obtain qualified interpreter. Removes requirement that court make determination on means and ability of person with disability.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Currently, Oregon law requires an interpreter be made available at the earliest time possible after arrest to a person with a physical hearing impairment or speaking impairment. The interpreter must be available before interrogation or taking of statements. The court determines responsibility for the fees and expenses of an interpreter after receiving a verified statement and writings under oath from the person with a disability as to their inability to pay for the interpreter. If it appears to the court that the person cannot pay, then the public employer of the arresting officer must pay for the interpreter; otherwise the person must pay.

Senate Bill 740 requires the employer of the arresting officer to pay for the interpreter, regardless of whether the person could show that they could or could not obtain an interpreter.