

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 384 - A

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: John Terpening
Reviewed by: Steve Bender, Ken Rocco
Date: 4-6-2015

Measure Description:

Requires judge to appoint certified shorthand reporter for aggravated murder proceedings.

Government Unit(s) Affected:

District Attorneys and their Deputies, Judicial Department, Public Defense Services Commission

Summary of Expenditure Impact: See Analysis

Agency – Fund Type	2015-2017 Biennium	2017-2019 Biennium
Oregon Judicial Department – General Fund	\$228,543	\$287,021

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

The measure requires Oregon circuit court judges to appoint a certified shorthand reporter to record testimony for trials or other proceedings involving aggravated murder. The measure authorizes the State Court Administrator to establish the policies for the use of shorthand reporters, and requires the courts pay for the costs of reporting services. The measure is effective January 1, 2016. Currently, the courts use digital audio or video recording of trials and hearings that are subject to appeal.

Based on historical data, the Oregon Judicial Department (OJD) assumes 15-17 cases per biennium will go to trial on an aggravated murder charge and 20-30 contested hearings per biennium where aggravated murder case was dropped, reduced, or settled prior to trial. Additionally, OJD assumes a few trials will be cancelled within 48 hours or less, which will include late-cancellation fees to be paid to reporters.

The cost for OJD to provide shorthand reporters for aggravated murder proceedings is anticipated to be \$228,543 General Fund for approximately 18 months of the 2015-17 biennium. This includes one-time startup costs, reporting services for cases tried, settled, or reduced, and an estimate of late-cancellation fees. The estimate for the 2017-19 biennium is \$287,021 General Fund, including minimal ongoing administrative costs. OJD notes that courts will continue to operate audio and video recordings during hearings and trials as a backup record of the proceedings.

There is no fiscal for Public Defense Services Commission or District Attorney's as a result of this measure.