

**Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session**  
**STAFF MEASURE SUMMARY**  
**House Committee On Judiciary**

**MEASURE: HB 2341 A**  
**CARRIER: Rep. Williamson**

**Fiscal:** Fiscal impact issued  
**Revenue:** Has minimal revenue impact

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**Action Date:** 04/02/15

**Action:** Do Pass As Amended And Be Printed Engrossed.

**Meeting Dates:** 03/10, 04/02

**Vote:**

Yeas: 9 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Post, Sprenger, Williamson

**Prepared By:** Eric Deitrick, Counsel

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**WHAT THE MEASURE DOES:**

Authorizes court to order extradition costs when defendant is found in violation of probation after leaving state in violation of probation. Directs fees collected for extradition to be placed in "Arrest and Return Account."

**ISSUES DISCUSSED:**

- Whether state should assess fees for the cost of its services
- Probationers who leave state in violation of their probation and abscond are different than someone who is lawfully out of state

**EFFECT OF COMMITTEE AMENDMENT:**

Clarifies that extradition fees can be assessed only when defendant leaves the state in violation of their probation conditions. Directs fees collected for extradition to be placed in "Arrest and Return Account" established by ORS 133.865.

**BACKGROUND:**

When a person is arrested outside of Oregon for a criminal proceeding occurring within Oregon, the state must determine whether to extradite that person. Currently, ORS 161.665 permits the court to order extradition costs at the time a person is convicted of a crime. It does not, however, permit the court to order extradition costs when people are adjudicated for violating their probation. In State v. Flajole, 204 Or App 295 (2006), the Oregon Court of Appeals ruled that Oregon law does not permit the court to order extradition costs for someone found in violation of his or her probation.

House Bill 2341 A amends ORS 137.540 and explicitly authorizes the court to order extradition costs for defendants found in violation of their probation after leaving the state in violation of their probation. The bill gives the court discretion in whether to order the costs. The bill also modifies the language in ORS 161.665 to capture that discretion.