

STAFF MEASURE SUMMARY

House Committee On Judiciary

**Fiscal:** No Fiscal Impact

**Revenue:** No Revenue Impact

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**Action Date:** 04/27/15

**Action:** Do Pass.

**Meeting Dates:** 04/27

**Vote:**

Yeas: 8 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Post, Williamson

Exc: 1 - Sprenger

**Prepared By:** Laura Handzel, Administrator

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**WHAT THE MEASURE DOES:**

Allows presiding judge of 7<sup>th</sup> Judicial District, with Chief Justice of the Oregon Supreme Court's approval, to enter memorandums of understanding with the Confederated Tribes of Warm Springs regarding adjudication and disposition of youths and youth offenders for cases arising in Wasco County or Hood River County.

**ISSUES DISCUSSED:**

- Expanse and geographic location of Confederated Tribes of Warm Springs (Warm Springs)
- Counties covering Warm Springs
- School districts servicing Warm Springs
- Need for consistency across Warm Springs
- Tribal court impacts on youth offenders
- Success of memorandums of understanding with 7<sup>th</sup> Judicial District

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

Under current Oregon law, the presiding judge of the 22<sup>nd</sup> Judicial District may, with the approval of the Chief Justice of the Oregon Supreme Court, enter into a memorandum of understanding (MOU) with the Confederated Tribes of Warm Springs to allow youths and youth offenders to be transferred to the Warm Springs Juvenile Court. Eligible youths include those that are enrolled tribal members living on the Warm Springs Reservation, with the exception of those being adjudicated for Measure 11 offenses. The 22<sup>nd</sup> Judicial District is comprised of the Jefferson and Crook County Circuit Courts. The Warm Springs Reservation, however, spans several county lines. This leaves Warm Springs' tribal members living on the north side of the reservation, which encompasses Hood River County and Wasco County, without the same opportunity to move youth matters to tribal court.

Senate Bill 448 provides consistency across the Warm Springs Reservation to allow youths and youth offenders the same opportunity to have matters transferred to the tribal court system by allowing the presiding judge of the 7<sup>th</sup> Judicial District, with the approval of the Chief Justice of the Oregon Supreme Court, to enter into MOUs for cases arising in Wasco or Hood River Counties.