

**Legislative
Fiscal Office**

Oregon State Capitol
900 Court Street NE, H-178
Salem, OR 97301
503-986-1828

Ken Rocco, Legislative Fiscal Officer
Paul Siebert, Deputy Fiscal Officer



**Joint Committee on
Ways and Means**

Sen. Richard Devlin, Senate Co-Chair
Rep. Nancy Nathanson, House Co-Chair

Sen. Betsy Johnson, Senate Co-Vice Chair
Sen. Jackie Winters, Senate Co-Vice Chair
Rep. Dan Rayfield, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

To: Public Safety Subcommittee
From: John Terpening, Legislative Fiscal Office
Date: Tuesday, May 30, 2017
Subject: SB 896 Relating to criminal appeals
Work Session Recommendations

Senate Bill 896 amends and repeals a number of statutes related to appeals in criminal caess and attempts to clarify which trial court decisions are appealable by both the defendant and the state. The measure is effective January 1, 2018.

The original staff measure summary and the fiscal impact statement are available on the Oregon Legislative Information System (OLIS). The measure previously had hearings in the Senate Judiciary Committee on 4/6/2017 and 4/13/2017.

The measure is anticipated to have an indeterminate impact to the Department of Justice (DOJ). The Department notes that because the measure provides more opportunity to appeal misdemeanor cases, there is likely to have some impact on the Appellate Divisions' Defense of Criminal Convictions program. However, the number of increases is unknown. If the number of appeals increases beyond the Department's current capacity, DOJ may need to return to the legislature for additional resources or limitation.

The Judicial Department and Public Defense Services Commission anticipate a modest increase in appealed cases, but also a reduction in workload related to the measures clarification in determining appealability in criminal cases.

Final Subcommittee Action

MOTION: I move SB 896 to the Full Committee with a do pass recommendation.
(VOTE)

Carriers

Full Committee: _____
House Floor: _____
Senate Floor: _____