

House Bill 2628

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires district attorney in any criminal prosecution to make available to victim, upon request, all discovery that was disclosed to defendant.

A BILL FOR AN ACT

1
2 Relating to disclosure of discovery to victims; amending ORS 135.857.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 135.857 is amended to read:

5 135.857. *[(1)]* In any criminal prosecution, *[arising from an automobile collision in which the de-*
6 *fendant is alleged to have been under the influence of alcohol or drugs,]* the district attorney **as de-**
7 **fin**ed in **ORS 131.005 who is** prosecuting the action shall make available, upon request, to the
8 victim or victims and to their attorney, or to the survivors of the victim or victims and to their
9 attorney, all reports and information disclosed to the defendant pursuant to ORS 135.805 to 135.873.
10 The reports and information shall be made available at the same time as it is disclosed to the de-
11 fendant or as soon thereafter as may be practicable after a request is received. The district attorney
12 may impose such conditions as may be reasonable and necessary to prevent the release of the re-
13 ports and information from interfering with the trial of the defendant. The district attorney may
14 apply to the court for an order requiring any person receiving such reports and information to
15 comply with the conditions of release.

16 *[(2) For the purpose of this section:]*

17 *[(a) "District attorney" has that meaning given in ORS 131.005.]*

18 *[(b) "Drug" has that meaning given in ORS 475.005.]*

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.