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TO: Senate Interim Committee on Judiciary

FROM: Gillian Fischer, Michael Lantz, Channa Newell, and Addie Smith

RE: 2020 Committee Concepts

DATE: January 15, 2020

**LC 151:** Requires the Oregon State Police to maintain a patrol trooper staffing level of at least 15 troopers per 100,000 residents by January 1, 2030. Requested on behalf of the Oregon State Police Officers' Association.

**LC 201:** Establishes procedures for a District Attorney to provide notice to a defendant charged with certain misdemeanor crimes of domestic violence in order for the conviction to cause any state or federal firearm prohibition designation on the defendant's criminal history record. Specifies procedures necessary for proving a qualifying relationship between defendant and victim if conviction is documented on a defendant's criminal history as prohibiting possession of firearms under state or federal law. Requires a court or jury finding beyond a reasonable doubt concerning the alleged qualifying relationship and directs court to enter order prohibiting defendant from possessing firearms. Directs court to provide determination and order to Department of State Police and county sheriff for entry into databases in a manner that identifies any state or federal prohibitions established by order. Shifts duty to receive complaints alleging law enforcement profiling from Law Enforcement Contacts Policy and Data Review Committee to Oregon Criminal Justice Commission. Exempts from definition of commercial motor vehicle emergency vehicles operated by police officers. Removes the detention timelines for youth subject to waiver hearings and replaces them with mandatory 30 day status hearings. Allows for any youth to waive their detention hearing or status hearing. Clarifies that the venue for a youth subject to a waiver hearing is the county where the alleged act was committed, unless and until the waiver to adult court is denied. Clarifies that a youth may be placed in the custody of the Oregon Youth Authority up until age 20 if the act was committed prior to age 18, with some exceptions.

**LC 240:** Relating to courts. Allows proceedings to be conducted at Multnomah County Circuit Court Gresham facility when certain circumstances exist. Clarifies process regarding writings intended to be a will. Requires notice to protected person of establishment of a guardianship to be reasonably calculated to be received and understood by the protected person. Allows notice through in-person, telephonic, mail, or other means. Requires statement be filed with court giving information on manner of notice. Makes restraining order provisions effective on passage; all other provisions effective January 1, 2021. Modifies date of expiration of sexual abuse restraining orders entered on behalf of a minor petitioner if the petitioner fails to request renewal of the order by the specified date following the petitioner's 18<sup>th</sup> birthday. Specifies procedures when service on respondent of sexual abuse restraining order is completed by alternative service. Declares emergency; effective on passage.