

SB 188 STAFF MEASURE SUMMARY

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Prepared By: Channa Newell, Counsel

Meeting Dates: 2/25

WHAT THE MEASURE DOES:

Allows proceeding to be returned to Multnomah County Circuit Court in Gresham from Portland court upon motion of any party if accused person is not in custody and all warrants have been vacated or executed. Clarifies that state traffic felony offenses will be transferred to Portland court.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Currently, all traffic offenses or misdemeanor proceedings that occur east of 122nd Avenue within the north and south confines of Multnomah County are conducted in the Gresham court location of the Multnomah County Circuit Court. Proceedings originating in the Gresham court must be transferred to the Portland court if the defendant is in custody of the sheriff or Department of Corrections or a warrant has been issued against the defendant.

Senate Bill 188 modifies the criteria for determining if a defendant's case should remain in the Multnomah County Circuit Court's Gresham court or be transferred to the court located in Portland. The measure clarifies that misdemeanor traffic offenses and other misdemeanors will be heard in the Gresham court unless the accused requested a trial in the Portland court. Any felony charge would be conducted in the Portland court. Additionally, the measure allows any party to move to return a proceeding to the Gresham court if the accused is not in custody and all warrants have been vacated or executed, unless good cause is shown to keep the proceeding in Portland. The measure also allows a proceeding that would have been transferred to Portland because the accused is in the custody of the county sheriff or Department of Corrections, the accused is charged with a felony, or a warrant has been issued against the person, to remain in Gresham if good cause is shown.