

SB 131 STAFF MEASURE SUMMARY

Carrier: Sen. Gelser

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

Action Date: 02/04/21

Action: Do pass.

Vote: 4-3-0-0

Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski

Nays: 3 - Heard, Linthicum, Thatcher

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Amie Fender-Sosa, Counsel

Meeting Dates: 1/25, 2/4

WHAT THE MEASURE DOES:

Adds supervisors of youth correction facilities and juvenile community supervision officers to the list of persons who must cooperate during a death investigation under the direction of the district medical examiner and the district attorney for the county where the death occurred. Adds medical-legal death investigator as a person requiring cooperation for death investigations. Provides that cooperating with the medical examiner or medical-legal death investigator does not violate the requirements for disclosing privileged reports and materials in ORS 419A.257.

ISSUES DISCUSSED:

- Delays in providing records to the medical examiner
- Authority of medical examiner staff
- Medical examiner offices' location within district attorney offices
- Scope of documents, data, and materials required to be provided to the medical examiner

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Death investigations are performed by county medical examiners' offices. Trained investigators called medical-legal death investigators (MDIs) may staff a county medical examiner's office and may be assigned to cases. MDIs must complete a certification process. MDIs work collaboratively with law enforcement agencies, emergency services personnel, medical providers, and other agencies during death investigations.

Senate Bill 131 clarifies that in addition to supervisors of penal institutions and hospitals or institutions caring for the ill or helpless, supervisors of youth correction facilities and juvenile community supervision officers must cooperate in a death investigation, and must cooperate with not only the medical examiner, but MDIs as well.