

**TESTIMONY ON HB 2133 AND 2134
BEFORE HOUSE JUDICIARY COMMITTEE
MARCH 4, 2021**

**PRESENTED BY: DAVID FACTOR, SENIOR ASSISTANT GENERAL COUNSEL
OREGON JUDICIAL DEPARTMENT**

Chair Bynum, Vice Chair Noble, and Members of the Committee:

My name is David Factor, Senior Assistant General Counsel, representing OJD. We have a long and productive history of working closely with the Oregon State Police (OSP) to improve disposition reporting of cases filed in our circuit courts. This information is critical for the OSP to accomplish its responsibilities as the official criminal history repository for the state.

OJD and OSP staff meet once a month to identify and resolve data and information needs. We have a regularized program that continuously sends case disposition data (including firearms restrictions) to OSP. In addition, OSP staff have access to retrieve case documents from our case management system when they need additional details on a specific matter.

The two bills before you today identify OSP's continuing need for data necessary to create a complete "arrest cycle" as part of their criminal history record keeping functions. We understand and support their efforts.

That said, as drafted, the legislation is not workable for the OJD. It directs the OJD to report information we do not have, and to ensure that other entities, over which the court has no control, report information to OSP. We have highlighted for OSP our inability to accomplish those tasks.

In our view, two things need to happen for these bills to become viable.

1. A conversation with a broader group of public safety stakeholders – law enforcement, prosecuting attorneys, municipal and justice courts - to identify all entities that possess data related to the "arrest cycle."
2. An amendment for both legislative proposals that accurately identifies the holder of the needed data and creates a reporting requirement.

We are committed to working with OSP to improve data reporting and data consistency. We need others at the table. If there is the opportunity to convene a workgroup, either during the current legislative session or in an interim task force - possibly under the umbrella of the statutory Criminal Justice Information Standards program (ORS 181A.265) - we will be an active participant.

Thank you.