

SB 234 STAFF MEASURE SUMMARY

Carrier: Sen. Gelser Blouin

Senate Committee On Judiciary

Action Date: 02/06/23

Action: Do pass.

Vote: 4-1-0-0

Yeas: 4 - Gelser Blouin, Manning Jr, Prozanski, Thatcher

Nays: 1 - Linthicum

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Patricia Pascone, LPRO Analyst

Meeting Dates: 1/30, 2/6

WHAT THE MEASURE DOES:

Authorizes the Chief Justice and the Oregon State Bar to make rules related to gathering and analyzing demographic information they may obtain from parties and other persons. Provides that rules may require the courts or Oregon State Bar to maintain confidentiality of the information when federal law does not mandate the information be made public. Exempts personal and demographic information from disclosure under Oregon's public records laws, when made confidential by rule. Allows data to be reported in aggregate form that does not identify any individual person.

ISSUES DISCUSSED:

- Data collection would include all types of cases, whether criminal or civil
- Provision of demographic information intended to be voluntary
- Additional rulemaking considerations regarding crime victims
- Limitations on how data can be used

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon's state courts and the Oregon State Bar are sometimes required or requested to provide or use statistical information, including demographic data, about the people they serve or interact with. Programs to increase equity and fairness rely on accurate information about individuals. Courts' information about participants' demographics is often sourced from law enforcement observations, rather than self-reported by individuals. The Oregon Supreme Court Council on Inclusion and Fairness recommended that the Oregon Judicial Department develop and implement a policy to collect, retain, and use demographic data, and this bill is related to that effort.

Senate Bill 234 permits the Chief Justice of the Oregon Supreme Court and the Oregon State Bar to make rules regarding the collection, use, and confidentiality of participants' demographic information.