

HOUSE COMMITTEE ON JUDICIARY
SUBCOMMITTEE ON CRIMINAL LAW

May 15, 2001
8:30 a.m.

Hearing Room 357
Tapes 86-87

MEMBERS PRESENT: **Rep. Max Williams, Chair**
 Rep. Robert Ackerman
 Rep. Jackie Dingfelder
 Rep. Wayne Krieger
 Rep. Lane Shetterly
 Rep. Vicki Walker
 Rep. Carl Wilson

STAFF PRESENT: **Bill Taylor, Counsel**
 Shannon Reed, Committee Assistant

MEASURE/ISSUES HEARD: **SB 183A Public Hearing**
 SB 133A Public Hearing
 SB 168A Public Hearing
 SB 657A Public Hearing
 SB 780A Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

| TAPE/# | Speaker | Comments |
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| TAPE 86, A | | |
| 003 | Chair Williams | Calls the meeting to order at 8:30 a.m. and opens the public hearing on SB 183A. |
| <u>SB 183A PUBLIC HEARING</u> | | |
| 009 | Senator Rick Metsger | Senate District 14 Submits testimony and testifies in support of SB 183A relating to costs of incarceration (EXHIBIT A). Discusses the -A6 amendments (EXHIBIT B). |
| 051 | Scott Taylor | Department of Corrections Testifies in support of SB 183A. |
| 085 | Chair Williams | Closes the public hearing on SB 183A and opens a public hearing on SB 133A. |
| <u>SB 133A PUBLIC HEARING</u> | | |
| 110 | Rep. Betsy Johnson | House District 1 Testifies in support of SB 133A relating to body armor and discusses the -A5 amendments (EXHIBIT C). |
| 152 | Anne Christian | State Court Administrator's Office Testifies in support of SB133A-A5 and early disposition programs. |
| 209 | Doug Harclerod | Lane County District Attorney Testifies in support of the SB 133A-A5 amendments. Discusses |

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| 273 | Paul Snider | outcomes of various disposition programs. Association of Oregon Counties |
| 292 | Bill Houser | Testifies in support of SB 133A and the -A5 amendments. Oregon Criminal Defense Lawyers Association |
| 352 | Brian DeLashmutt | Supports the -A5 amendments and says that counsel is available to advise on programs. Oregon Council of Police Associations |
| 370 | Frank Grace | Testifies in support of SB 133A. Gladstone Police Department |
| 443 | Officer Dave Ratto | Testifies in support of SB133A and relates personal experience. Oregon City Police Department |
| TAPE 87, A | | |
| 055 | Russ Spencer | Testifies in support of SB 133A and relates personal experience. Oregon State Sheriffs Association |
| 064 | Chair Williams | Testifies in support of SB 133A and the -A6 (EXHIBIT D) Closes the public hearing on SB 133A and opens the public hearing on SB 168. |
| <u>SB 168 PUBLIC HEARING</u> | | |
| 066 | Ann Christian | State Court Administrator's Office |
| 119 | Katie Siever | Testifies in support of SB168 relating to jail overcrowding. Oregon District Attorney's Association |
| 133 | Chair Williams | Testifies in support of SB 168. Discusses specifics to Marion County. Closes the public hearing on SB 168 and opens the public hearing on SB 657A. |
| <u>SB 657A PUBLIC HEARING</u> | | |
| 153 | Bill Houser | Oregon Criminal Defense Lawyers Association |
| 160 | Russ Spencer | Testifies in support of SB 657A and the -4 amendments (EXHIBIT E) Oregon State Sheriffs Association |
| 190 | Chair Williams | Testifies in support of SB 657A and the -A5 amendments (EXHIBIT F). Closes the public hearing on SB 657A and opens the public hearing on SB 780A. |
| <u>SB 780A PUBLIC HEARING</u> | | |
| 198 | Rick Knapp | Washington County District Attorney's Office |
| 258 | Jacqueline Zimmer | Testifies in support of SB 780A relating to admissibility of hearsay as evidence for elders and children who are unavailable. Oregon Association of Area Agencies on Aging and Disabilities |
| 303 | Phyllis Rand | Testifies in support of SB 780A. Governor's Commission on Senior Services |
| 354 | Rep. Lowe | Testifies in support of SB 780A and discusses elder abuse. |
| 360 | Knapp | Asks about exception to hearsay rule and excited utterance. Says that it is not necessary excited utterance, as it does not have to have closeness in time to the incident. Says time is not the issue of admissibility and protection of young and older ages is important. |
| 495 | Chair Williams | Closes the public hearing on SB 780A and adjourns the meeting |

at 9:33 a.m.

Submitted By,

Reviewed By,

Shannon Reed,
Committee Assistant

Bill Taylor,
Counsel

EXHIBIT SUMMARY

A - SB 183A, written testimony of Josh Marquis, Clatsop County District Attorney, submitted by Senator Rick Metsger, Senate District 14, dated 5/15/01, 2 pgs.

B - SB 183A, -A6 amendments submitted by staff, dated 3/19/01, 1 pg.

C - SB 133A, -A5 amendments submitted by staff, dated 5/14/01, 6 pgs.

D - SB 133A, -A6 amendments submitted by staff, dated 5/14/01, 1 pg.

E - SB 657A, -A4 amendments submitted by staff, dated 5/14/01, 1 pg.

F - SB 657A, -A5 amendments submitted by staff, dated 5/15/01, 2 pgs.