

HOUSE COMMITTEE ON JUDICIARY - CRIMINAL LAW

April 15, 1999 Hearing Room 357

8:00 a.m. Tapes 138 - 141

MEMBERS PRESENT: Rep. Mannix, Chair

Rep. Prozanski, Vice-Chair

Rep. Bowman

Rep. Gianella

Rep. Hansen

Rep. Simmons

Rep. Sunseri

STAFF PRESENT: John Horton, Counsel

Patsy Wood, Administrative Support

MEASURE/ISSUES HEARD:

HB 2836 Public Hearing

HB 3088 Public Hearing

HB 2807 Public Hearing

HB 2808 Public Hearing

HB 2273 Public Hearing

HB 2500 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.

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TAPE/#	Speaker	Comments
TAPE 138, A		
006	Chair Mannix	Calls meeting to order at 8:05 a.m.
<u>HB 2836 PUBLIC HEARING</u>		
010	Counsel Horton	HB 2836 creates the offense of aggressive driving. Describes behaviors that would constitute aggressive driving.
028	Chair Mannix	Closes the public hearing on HB 2836.
<u>HB 2500 PUBLIC HEARING</u>		
033	Rep. Kurt Schrader	State Representative, House District 23 Testifies in support of HB 2500 which allows the State Board of Parole and Post-Prison Supervision to require a person to undergo a program of chemical castration as condition of post-prison supervision for certain sex offenses. Discusses the ñ1 amendments (EXHIBIT A) that would establish a pilot program for 40-50 people using hormone treatment to help them be successful.
050	Chair Mannix	Is the Department of Corrections (DOC) in support of HB 2500?
051	Rep. Schrader	Yes, as well as the Board of Parole and Post-Prison Supervision.
060	Rep. Prozanski	You mentioned this pilot program will make these individuals successful, but I didn't hear previous testimony that these individuals were not being successful.
063	Rep. Schrader	Discusses the fact that released sex offenders have a lower recidivism rate if they participate in the chemical treatment program upon release.
072	Rep. Bowman	It was my understanding that the DOC already has the ability to provide this chemical treatment if it is deemed to be in the best interest of the parolee and the community. If so, why do we need this legislation?
079	Rep. Schrader	The Parole Board and the DOC are reluctant to proceed without more of a legislative mandate to explore this treatment program.
109	Chair Mannix	Closes the public hearing on HB 2500.
<u>HB 2836 PUBLIC HEARING</u>		

116	Anne O'Ryan	<p>American Automobile Association (AAA) of Oregon/Idaho</p> <p>Testifies and submits written testimony in support of HB 2836 (EXHIBIT B). Creating a law against aggressive driving would not only provide an incentive to avoid this behavior and subsequent penalty, but it would make Oregon eligible for federal grant money for special enforcement programs. Discusses statistics of AAA members who have encountered and engaged in aggressive driving. The greatest benefit in making Oregon's roadways safer for everyone is preventing crashes, injuries and deaths on our roads.</p>
245	Rep. Prozanski	Why do we need another law when there are already laws in place to handle the traffic offenses of careless and reckless driving?
261	O'Ryan	HB 2836 would provide awareness that aggressive driving and "road rage" will not be tolerated and violations will carry penalties. This law would provide a tool for law enforcement to specifically curtail this type of behavior.
284	Rep. Prozanski	Wouldn't you agree that if we had more law enforcement officers enforcing the current laws against careless and reckless driving, that we wouldn't need a new law?
293	O'Ryan	Having more law enforcement on the roads will help prevent all types of road crimes.
302	Rep. Bowman	Who will make the determination that someone is driving aggressively when perhaps they are just in a hurry?
321	O'Ryan	The two amendments to HB 2836 would substitute specific behaviors that constitute aggressive driving for the vague portions of the bill like "feeling" afraid or intimidated (EXHIBIT C).
335	Rep. Bowman	Are there any specific behaviors in the two amendments that we cannot currently prosecute?
341	O'Ryan	Not that I am aware of.
384	Rep. Anitra Rasmussen	<p>State Representative, House District 11</p> <p>Testifies and submits newspaper articles in support of HB 2836 (EXHIBITS D & E). I want to send the message to drivers that aggressive driving or "road rage" will not be tolerated on Oregon's roadways. Discusses the new crime of aggravated aggressive driving, a Class C felony, which applies when the driver uses either a firearm or their car as a weapon.</p>
TAPE 139, A		

028	Dr. Chris Huffine	Psychologist Testifies and submits written testimony in support of HB 2836 (EXHIBIT F). Discusses how HB 2836 will not only help reduce acts of road rage, but may help in some small way to reduce the amount of violence in Oregon.
090	Chief Bernie Giusto	Gresham Police Chief Testifies in support of HB 2836. Discusses the city's "road rage" ordinance that mirrors HB 2836. Describes a big gap between being able to charge for reckless driving or menacing/harassment. Courts are very hesitant to convict for reckless driving unless some kind of action occurs, not just a threat. Reckless driving doesn't have to have intent, it can be by accident or because a person is not thinking. But using a vehicle to annoy or alarm someone puts everyone on the highway at risk.
156	Rep. Gianella	Do you think "road rage" is getting out of hand because there are fewer police officers on the road?
159	Chief Giusto	That could be a factor, but police officers could use HB 2836 as a tool for controlling the specific incidence of "road rage".
170	Sgt. Bruce Hoffman	Oregon State Police Testifies and submits written testimony in support of HB 2836 (EXHIBIT G). Because individual communities are adopting "road rage" ordinances, it would be advantageous to have one uniform law throughout the state.
201	Rep. Sunseri	If I was in a hurry and flashed my lights behind someone, would that be considered road rage?
206	Sgt. Hoffman	Under this bill, yes. Flashing the lights is not hazardous, but it is indicative of "road rage" behavior.
213	Chief Giusto	In Gresham's "road rage" ordinance, we require only one aggressive behavior has to take place for a violation to take place.
222	Rep. Sunseri	How does a police officer judge that the intent in somebody's heart is to be enraged while driving?
233	Chief Giusto	Many statutes require "intent" or "knowing" by an officer before a person can be charged. Before a district attorney would move one of these cases forward, the officer would have to be able to demonstrate through witness statements, an interview with the driver and the totality of the circumstances surrounding the incident that aggressive driving had occurred.
248	Fred Lenzser	Multnomah County District Attorney's Office Testifies in support of HB 2836. On page 1, lines 6 and 7 of the #2 amendments

		(EXHIBIT C) the person accused of aggressive driving has to " <i>knowingly</i> harass, annoy or alarm" another person so very often a police officer is able to see that aggressive behavior displayed.
259	Rep. Prozanski	I am concerned with adding another law when enforcing current laws would provide a stronger sanction than HB 2836 is imposing. The bottom line is that we don't have enough officers to control behavior that has been occurring for the past 25 years. The court could require individuals to go through anger management if their behavior showed that treatment was needed.
293	Lenzser	Our concern is that we can't reach this group of people with the reckless driving statutes. Unless an officer sees the infraction, he can't charge them to impose court supervision requiring anger management classes.
316	Rep. Prozanski	Are we going to allow citizens to report happenings to officers who have not been on the scene and the officer will cite for a misdemeanor?
323	Lenzser	Yes, an officer could be notified of the behavior and proceed to investigate.
336	Chief Giusto	We have not had people coming in with false reports, but they have told us about driving incidents that needed to be checked out for "road rage".
371	Rep. Bowman	Discusses the behaviors described in (b) & (c) on page 2 of the #2 amendments stating that these behaviors could occur without a person having the intent to harm another driver.
402	Chief Giusto	We are asking you to give us the tool to help people who get into serious incidences with an enraged driver. If we abuse it, take it away from us, but at least give us the tool.
TAPE 138, B		
006	Hoffman	Discusses how the sanctions for HB 2836 would raise the existing level of punishment for current laws concerning reckless driving.
020	Lenzser	Because this legislation has a lot of community support, I would prefer to see a uniform law in statute rather than individual communities imposing their own style of legislation.
028	Chief Giusto	If we put this legislation into law, I would encourage communities to defer to state statute rather than local ordinances.
041	Malcolm Campbell	Portland Citizen Testifies and submits written testimony in support of HB 2836 (EXHIBIT H). Describes an incident that happened December 12, 1998, in which he was forcefully pushed across a crosswalk by an enraged driver in a motor vehicle.

131	Chair Mannix	Brad Higbee wanted it on the record that the Oregon chapter of the American College of Emergency Physicians supported HB 2836. Closes the public hearing on HB 2836.
<u>HB 3088 PUBLIC HEARING</u>		
136	Counsel Horton	HB 3088 allows a qualified entity to conduct criminal records checks for specified employment and licensing purposes.
177	Glenn Jacobs	Executive Vice President, Commercial Information Systems, Inc. (CIS) Testifies and submits written testimony in support of HB 3088 (EXHIBITS I & J). We are a privately owned, on-line provider of public records with both government and private sector clients. Discusses how the Department of Human Resources (DHR) administrative rules exclude CIS from providing background information that the company was previously able to supply.
258	Charles Williamson	Commercial Information Systems, Inc. (CIS) Testifies and submits written testimony in support of HB 3088 (EXHIBIT K).
266	Chair Mannix	I have received letters from private organizations stating that they would like to have access to a private service provider.
273	Williamson	Discusses the ñ1 amendments to HB 3088 (EXHIBIT L).
287	Chair Mannix	Would you have potential liability if CIS provided inaccurate or incomplete information about an individual with a criminal background who was hired and went on to commit violence?
292	Williamson	If the qualified private vendor who provided the information did not act negligently, we are proposing that they be immune from liability.
300	Chair Mannix	Should there be a standard that states a private vendor would be held immune if they had provided the same quality of information that would have been provided through the government check?
307	Williamson	We would be willing to be held to the same standards of care as the government. We have not been given the protection of immunity like the government.
311	Chair Mannix	Are you already being held to a tougher standard of care?
312	Williamson	Yes.

313	Jacobs	We receive the same information that comes into the Law Enforcement Data System (LEDS) and don't make changes to that information for liability reasons.
324	Rep. Bowman	Why should we authorize in statute the spending of dollars to get a background check when it is now provided at no cost from DHR?
340	Williamson	Discusses the type of health care agencies who require background checks through the DHR.
370	Rep. Gianella	Does the DHR have access to LEDS records?
372	Williamson	Yes.
374	Rep. Gianella	Is speed the reason someone would want to go through your company?
377	Williamson	Yes. Private industry can find out more quickly and efficiently than waiting for the mail to deliver the documents to the DHR for a check.
395	Chair Mannix	Why don't we authorize an employer to use the instant background check that is used for firearm purchases through the State Police?
409	Williamson	We would like to keep some of the records-checking business available for private enterprise.
419	Chair Mannix	Do you want a chance to compete for the background checking service that you can provide faster and cheaper?
422	Jacobs	Yes. A state-run agency would probably go through the DHR, but in many cases it is faster to go through CIS.
433	Rep. Bowman	HB 3088 would require an additional check between 60-90 days. Wouldn't that be doubling the cost of the check to run it twice?
TAPE 139, B		
007	Williamson	A private company is making the decision to pay the cost of the second check at a later date rather than lose a good employee waiting for the initial check through the DHR.
012	Chair Mannix	Closes the public hearing on HB 3088.
<u>HB 2807 & HB 2808 COMBINED PUBLIC HEARING</u>		

030	Rep. Leslie Lewis	<p>State Representative, House District 29</p> <p>Testifies and submits a letter written from the Yamhill County District Attorney in support of HB 2807 and HB 2808 (EXHIBIT M). Discusses the incident of Lacey Robanchois death at the hands of a sex offender who was not registered with the sex offender notification program. Discusses the ñ1 amendments to HB 2808 (EXHIBIT N). HB 2808 expands the concept of registration to include violent offenders. HB 2807 changes the "may" language to "shall".</p>
103	Sen. Gary George	<p>State Senator, Senate District 2</p> <p>Testifies in support of HB 2807 and HB 2808. Expresses his concern that neighborhoods are warned of hazardous materials coming into their area, but there is no warning of a violent criminal moving into the area. The State Police are going "on-line" with an enhanced notification program.</p>
141	Rep. Bowman	<p>I am very concerned about requiring lifetime registration for people who have paid their debt to society. It is "branding" this person for the rest of their life.</p>
160	Sen. George	<p>I think anyone who is aware of being "watched" will try harder to demonstrate good behavior.</p>
180	Rep. Bowman	<p>Discusses the protests that occurred when a probation and parole office was opened in her community. How will this notification be implemented?</p>
196	Rep. Lewis	<p>The notification requirements in HB 2807 still only apply to predatory sex offenders. We are asking for registration of violent offenders, which may not lead to notification of their whereabouts, but through that registration local law enforcement will be aware of these violent offenders.</p>
209	Rep. Prozanski	<p>What is the cost of doing this notification? Parole and post-prison supervision people have stated it will take 40 hours per new person coming into the system. Are we passing an unfunded mandate by not increasing staffing to accommodate this new workload?</p>
224	Rep. Lewis	<p>The notification requirement in HB 2807 changes "may" language to "shall" language. I would hope that most neighborhoods currently receive notification of a predatory sex offender. Ways and Means won't do an impact statement unless the bill gets a hearing, but I would hope that current notification of predatory sex offenders is taking place.</p>
248	Rep. Prozanski	<p>Someone from Lane County who works with sexual predators told me that there would be a fiscal impact on this notification. Is it your intent with HB 2808 that the list of major felony crime offenders is so broad as to catch individuals who did something stupid, but they will be stigmatized for the rest of their lives by this notification?</p>
287	Rep. Lewis	<p>After a community asked us to "push the envelope as far as we could " we wanted to make this legislation as broad as possible. The committee could get the list of offenses to one you would approve.</p>

307	Sheriff Norm Hand	Yamhill County Sheriff Testifies in support of HB 2807 and HB 2808. I discussed the funding issue with our notification people and received the figures of how many cases are currently being notified. Full notification takes about 40 hours of time. We will need to look at the price tag for HB 2808.
404	Chair Mannix	Discusses the difference between "registration" and "notification" concerning sex offenders. Should we look at any person released from state prison and issue a monthly notice into each county about who is being released and what their conviction was for?
TAPE 140, A		
003	Sheriff Hand	We have had notices of predatory sex offenders on-line with the Internet or at the library or in the newspaper. However, not everyone reads the newspaper or has access to the Internet. The public is looking for someone to notify them that a predatory sex offender is living in their neighborhood. Discusses the idea of this notification information some day being expunged like a juvenile's records. Discusses the problems with making notification mandatory in Section 1, (2) (c) on page 1 of HB 2807.
038	Mayor Teresa Syphers	Mayor of Lafayette, Oregon Testifies in support of HB 2807 & HB 2808. Discusses Lacey Robanchois case of murder and how important it is to notify residents when a sex offender moves into the community.
080	Rep. Prozanski	You made comments that you think you don't have the ability to share information concerning a person's criminal past. On what basis do you believe that you can't share that information?
086	Mayor Syphers	The sheriff's department told me that this man was legally protected against notification because he was no longer on the registered list.
092	Rep. Prozanski	You may want to check with someone else because a conviction on public record is a matter of public record to anyone.
098	Sheriff Hand	I received my information from another criminal history and could not reveal information about that investigation.
105	Rep. Prozanski	If this individual was not required to register, how will HB 2807 change the notification process?
117	Rep. Lewis	Discusses the provisions of HB 2808 that would require a major crime offender to register for life.
136	Gretchen Patterson	Lafayette resident

		Testifies in support of HB 2807 and HB 2808. If the community had been notified of the danger Mr. Sparks presented, the schools would not have allowed a bus stop near his house or the children could have altered their path to and from school.
172	Chair Mannix	Closes the public hearing on HB 2807 and HB 2808.
<u>HB 3088 PUBLIC HEARING</u>		
181	Ann Niederehe	The Department of Human Resources (DHR) Testifies in opposition to HB 3088. Discusses the criminal history checks done by the DHR when a job offer is extended to an applicant. The turnaround time is 48 hours from when the request came in, but same-day spot checks can be done in particular circumstances.
212	Rep. Prozanski	What are the rules concerning an applicant starting work while their background history is being checked?
216	Niederehe	Administrative rules would allow a person to begin work under close supervision until the results of the criminal history check are received.
224	Rep. Prozanski	While that criminal history is being checked, can the employer hire the person and can the person report for work?
230	Niederehe	Yes. Discusses the Oregon Law Enforcement Data System (LEDS) that has historical information going back many years. Arrest records are in the LEDS system that could show a pattern that might be occurring with an individual. Commercial systems are not as up to date with their information as the LEDS system. There is no direct cost to contractors getting criminal history checks because the DHR receives the LEDS records through an agreement with the Oregon State Police.
285	Rep. Bowman	Does the DHR currently provide background checks for people not working within government entities or for agencies you contract with?
293	Niederehe	No. We are only allowed to do criminal history checks on individuals and entities that are doing business with our clientele.
300	Rep. Hansen	Did you state there was a 48-hour turnaround time for checking state records and a longer time is required for a federal history check?
304	Niederehe	Yes. If LEDS indicates that the person has a criminal history in another state, or if the person has lived outside the state of Oregon, we send the record to the state police who send the information to the FBI to check.
318	Rep. Hansen	Can a person work under supervision during that period of time?

320	Niederehe	Yes.
322	Rep. Hansen	The 48 hours is your turnaround time for a criminal history check, but how do the requests for a history check come into your office? Do you accept faxes or e-mail, or do they have to come in the mail?
343	Niederehe	Because of the fingerprint card requirement, the information has to come through the mail. There are some emergency situations where a fax request can be used to get the information in the same day. Current statutes state that the DHR has the flexibility to contract with qualified vendors who have information comparable to LEDS, but we have not seen that that entity exists.
371	Steve Dingle	Oregon District Attorney's Association Testifies in support of HB 3088. Information is power and the quicker this information can be obtained, the better.
387	Rep. Prozanski	Do we want to open up LEDS records to outside entities?
390	Dingle	We have not addressed that, but some people would like to do that.
393	Rep. Bowman	Discusses the problem with too many people having access to this specialized information.
406	Dingle	You can request information from LEDS through the state police.
413	Chair Mannix	What is the statutory reference regarding that?
417	Dingle	I don't know.
TAPE 141, A		
012	Bradd Swank	State Court Administrator's Office Testifies as neutral to HB 3088. We are concerned when we see bills that use court records as criminal history checks because that is something that a court record is not designed for. We suggest using the Oregon Judicial Information Network (OJIN) because it is publicly accessible, but it is not the same as a criminal history check. OJIN was designed as a case-tracking system for the courts where you can see the charges against a person, but not their criminal history.
032	Tim Kral	Oregon Rehabilitation Association Testifies and submits written testimony in support of HB 3088 (EXHIBIT O). We want the criminal history check process to work quickly and it is not doing that now. Discusses trying to hire employees in a very tight labor market and

		having to wait for the LEDS check for up to four weeks. Describes different interpretations of the administrative rules for criminal history checks by each DHR division.
057	Rep. Bowman	If DHR sets the rules for how background checks are done throughout all the departments, why would the rules be different?
061	Kral	We have been given a separate administrative rule from each division.
065	Rep. Bowman	Are they consistent?
065	Kral	No. Discusses the discrepancies that have been found in the rules and the problem with getting the criminal history checks done quickly.
078	Chair Mannix	Closes the public hearing on HB 3088.
<u>HB 2273 PUBLIC HEARING</u>		
086	Counsel Horton	HB 2273 adds certain acts committed against corrections staff to acts amounting to assault in the third degree. Discusses the ñ1 amendments and ñ2 amendments (EXHIBITS P & Q) .
107	Dave Cook	Director, Department of Corrections (DOC) Testifies in support of HB 2273. Discusses the implementation date of July 1, 2001, and expanding "dangerous substances".
136	Chair Mannix	I am going to ask for two version of amendments: one amendment taking care of all substantive issues with immediate implementation and another amendment doing exactly the same thing, but with delayed implementation.
145	Cook	The DOC had proposed July 1, 2001and the committee had requested a start date of January 1, 2001 with immediate implementation.
150	Chair Mannix	We will consider that date also.
152	Brian DeLashmutt	Oregon Council of Police Associations and the Association of Oregon Corrections Employees Testifies in support of HB 2273. We are in agreement with HB 2273 except for the delayed implementation date because any delay causes my people concern. Dangerous substances need to be specifically defined, and re-insert in HB 2273 that this legislation also deals with local corrections facilities.
184	Chair Mannix	Closes the public hearing on HB 2273.

HB 2807 & HB 2808 COMBINED PUBLIC HEARING

194	Scott Taylor	Assistant Director, Department of Corrections (DOC) Testifies in opposition to HB 2807 and HB 2808. Discusses the problems with notifying such a broad base of individuals and organizations that this legislation would require. Some of the sex offender registration concerns addressed in HB 2807 and HB 2808 could be dealt with in SB 740 which is in the Senate this session.
235	Jeff Collins	Chairperson, Sex Offender Supervision Network Testifies and submits written testimony in opposition to HB 2807 and HB 2808 (EXHIBIT R) . Because community notification of sex offenders is very expensive and time consuming, only the most dangerous sex offenders warranted the time, expense and effort of a full-scale neighborhood notification. Discusses a proposal to enhance SB 740 with the Oregon State Police providing Internet notification of sex offenders.
292	Michael Haines	Oregon Association of Community Corrections Directors and Multnomah County Testifies and submits written testimony in opposition to HB 2807 and HB 2808 (EXHIBIT S) . Mandating this time-consuming notification will detract from the supervision of other offenders within a parole or probation officer's caseload. The current legislation is working as evidenced by a low recidivism rate.
337	Sgt. Kent Zwicker	Oregon State Police Testifies and submits written testimony in support of HB 2808 (EXHIBIT T) . The passage of legislation requiring the registration and notification of sex offenders will result in a more informed public that can assist in community crime prevention and community surveillance of known violent and sexual offenders. Discusses the fiscal implications of HB 2808.
357	Chair Mannix	Does HB 2808 have a large fiscal impact?
357	Sgt. Zwicker	Yes.
379	James Rice	Oregon Criminal Defense Lawyers Association Testifies in opposition to HB 2807.
405	Chair Mannix	Closes public hearing on HB 2807 and HB 2808.
405	Chair Mannix	Adjourns the meeting at 10:50 a.m.

Patsy Wood, Sarah Watson,
Administrative Support Administrator

EXHIBIT SUMMARY

- A - HB 2500, -1 amendments (LC 1882), dated 3/26/99, staff, 3 pgs.**
- B - HB 2836, written testimony submitted by Anne O'Riordan, AAA Oregon/Idaho, dated 4/15/99, 48 pgs.**
- C - HB 2836, -2 amendments (LC 3181), dated 4/14/99, staff, 17 pgs.**
- D - HB 2836, *Oregonian* article, submitted by Rep. Anitra Rasmussen, dated 2/19/99, 1 pg.**
- E - HB 2836, *The Southwest Community Connection* article, submitted by Rep. Anitra Rasmussen, dated January 1999, 1 pg.**
- F - HB 2836, written testimony submitted by Dr. Chris Huffine, The Menis Center, 2 pgs**
- G - HB 2836, written testimony submitted by Sgt. Bruce Hoffman, Oregon State Police, 1 pg.**
- H - HB 2836, written testimony submitted by Malcolm Campbell, dated 4/15/99, 3 pgs.**
- I - HB 3088, written testimony submitted by Glenn Jacobs, CIS, dated 4/15/99, 2 pgs.**
- J - HB 3088, supporting testimony submitted by Glenn Jacobs, CIS, 12 pgs.**
- K - HB 3088, written testimony submitted by Charles Williamson, dated 4/15/99, 2 pgs.**
- L - HB 3088, -1 amendments (LC 2994), Charles Williamson, dated 4/14/99, 1 pg.**
- M - HB 2807 & HB 2808, written testimony of Bradley Berry, Yamhill Co. District Attorney, submitted by Rep. Leslie Lewis, dated 4/14/99, 2 pgs.**
- N - HB 2808, -1 amendments (LC 1398), dated 4/13/99, Rep. Leslie Lewis, 1 pg.**
- O - HB 3088, written testimony submitted by Tim Kral, OR Rehabilitation Assoc., 1 pg.**
- P - HB 2273, -1 amendments (LC 1736), dated 3/29/99, staff, 1 pg.**
- Q - HB 2273, -2 amendments (LC 1736), dated 4/12/99, staff, 1 pg.**
- R - HB 2807, written testimony submitted by Jeff Collins, Sex Offender Supervision Network, 2 pgs.**
- S - HB 2807, written testimony submitted by Michael Haines, OR Assoc. of Community Corrections Directors, 1 pg.**
- T - HB 2808, written testimony submitted by Sgt. Kent Zwicker, Oregon State Police, dated 4/15/99, 4 pgs.**