

—

SENATE COMMITTEE ON CRIME & CORRECTIONS

January 27, 1997 Hearing Room B

1:00 P.M. Tape - 1

MEMBERS PRESENT:

Sen. Shirley Stull, Chair

Sen. Jeannette Hamby, Vice-Chair

Sen. Avel Gordly

Sen. Eileen Qutub

Sen. Veral Tarno

Sen. Cliff Trow

STAFF PRESENT:

Nikola Jones, Counsel

Julie Clemente, Administrative Support

MEASURE/ISSUES HEARD:

Organizational Meeting

Adoption of Rules

Informational Meeting

Public Hearing SB 257

Public Hearing &

Possible Work Session SB 55

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
Tape 1, A		
003	Chair Stull	Calls meeting to order at 1.05 p.m. Welcomes Committee and all those visiting
<u>INFORMATIONAL & ORGANIZATIONAL MEETING</u>		
		Introduces Committee and support staff
027		Because of time constraints, asks the Committee to:
		>be prompt
		>inform Chair if you cannot attend a meeting
<u>ADOPTION OF COMMITTEE RULES</u>		
		Asks Committee to review rules in packet
		>essentially same rules in place last session for the Senate Judiciary Committee
051	Sen. Gordly	Asks for clarification of 9-A
	Sen. Trow	Questions lack of Minority Report guidelines
	Chair Stull	Responds asking for prior knowledge if possible
073	Sen. Trow	MOTION: Moves to ADOPT the proposed Committee Rules
		VOTE: 6-0
	Chair Stull	Hearing no objection, declares the motion CARRIED.

<u>OPENS PUBLIC HEARING ON SB 257</u>		
095	Russ Lipetzky	Chair, Family Law & Juvenile Law Section of the Oregon State Bar presents testimony in support of SB 257 [Exhibit B]
		>calls attention to memo from Public Affairs Committee - Oregon State Bar >review of jury instructions - problem with current language was noted
		>explains current language
129	Sen. Trow	What does "actual notice" mean to a stalker and how can it be proved?
	Lipetzky	Actual notice is not defined - explains
		>gives example
		>subsequent violation
		>will work with committee to clarify what "notice" means
165	Sen. Trow	Needs clarification
	Lipetzky	Responds
174	Sen. Tarno	I tend to agree
	Lipetzky	Continues addressing Committee's concerns >not our intent to change the substance of the law >intent was to fix technical problems
235	Ingrid Swenson	Oregon Criminal Defense Lawyers Association >Committee is raising same questions she has
		>questions meaning of "actual notice"
		>substitute the word "knowledge" for "notice"
265	Sen. Qutub	What is the statute?
	Swenson	ORS 161.085 - substitute words on both lines 6 & 9
<u>CLOSES PUBLIC HEARING ON SB 257</u>		
<u>OPENS PUBLIC HEARING ON SB 55</u>		
285	Karen Brazeau	Deputy Director, Oregon Youth Authority testifies in support of SB 55 [Exhibit C]
		>believes that failure to include its employees was an

		oversight >SB 55 will correct this omission
327	Dianne Lancaster	Assistant Administrator, Program Operations, State Office for Services to Children and Families and Victor Congleton, Program Manager in Charge of Children's Protective Services for Services to Children and Families. Presents testimony in support of SB 55 [Exhibit D]
347		>SB 55 will correct the oversight
353	Sen. Trow	Do you know of any opposition?
	Lancaster	No
362	Sen. Hamby	Agrees
<u>CLOSES PUBLIC HEARING ON SB 55</u>		
<u>OPENS WORK SESSION ON SB 55</u>		
390	Sen. Tarno	MOTION: Moves SB 55 to the floor with a DO PASS recommendation.
		VOTE: 6-0
	Chair Stull	Hearing no objection, declares the motion CARRIED. SEN. GORDLY will lead discussion on the floor.
<u>CLOSES WORK SESSION ON SB 55</u>		
399	Chair Stull	Adjourns meeting at 1:35 p.m.

Submitted By, Reviewed By,

Julie Clemente, Nikola Jones,

Administrative Support Counsel

EXHIBIT SUMMARY

A - Committee Rules - Staff - 2 pgs

B - Testimony in Support of SB 257 - Russell Lipetsky - 2 pgs

C - Testimony in Support of SB 55 - Karen Brazeau - 1 pg

D - Testimony in Support of SB 55 - Dianne Lancaster - 2 pgs
