REVENUE: No revenue impact
FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass	
Vote:	9 - 0 - 0	
	Yeas:	Barker, Bonamici, Cameron, Flores, Komp, Krieger, Read, Whisnant, Macpherson
	Nays:	0
	Exc.:	0
Prepared By:	Darian Stanford, Counsel	
Meeting Dates:	5/9	

WHAT THE MEASURE DOES: Expands information that court must provide to defendant before defendant enters plea of guilty or no contest.

ISSUES DISCUSSED:
- Need for fully informed plea by defendant

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 135.385 establishes various information that a court must provide to a defendant who wishes to plead guilty or no contest to criminal charges. This process is meant to ensure that the defendant makes a knowing and voluntary plea. Among other things, the court must advise the defendant of the following: (1) by pleading, the defendant waives his rights to confront witnesses and against self-incrimination, and to a trial by jury, (2) the maximum possible sentence, and (3) that the defendant could be deported if the defendant is not a U.S. citizen.

SB 81 expands the information that a court must provide to include the following (in sum): if the defendant is pleading to a domestic violence offense, federal law may prohibit the defendant from possessing or transferring any firearm or ammunition, and that a domestic violence conviction may hurt the defendant's ability to serve in the Armed Forces of the United States or to be employed in law enforcement.

The need for the new language arose in 2005 when the U.S. Congress passed the "Violence Against Women Act" (VAWA). For a state to receive funds under VAWA, it must certify that its policies and practices include notifying domestic violence offenders about the federal laws (18 U.S. Code §§ 922(g)(8) and (g)(9)) that prohibit firearm possession by persons convicted of certain domestic violence offenses.