

## **HB 2133 STAFF MEASURE SUMMARY**

### **House Committee On Judiciary**

---

**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 3/4

---

#### **WHAT THE MEASURE DOES:**

Requires law enforcement agencies to collect fingerprints, palm prints and identifying data for persons arrested for felony or misdemeanor. Requires completion of disposition report for all felonies and misdemeanors that includes a unique arrest fingerprint control number and forward said report to the district attorney or court when appropriate. Requires district attorney or court to transmit disposition information for each criminal charge contained in the charging instrument, including the unique arrest fingerprint control number and any written findings of fact made, to the the Department of State Police. Authorizes the Department of State Police, after consultation with courts, to determine manner and format in which disposition information must be transmitted. Requires transmission of disposition information even if no accusatory instrument is filed, accusatory instrument is dismissed or charges are dismissed.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

No amendment.

##### **BACKGROUND:**

ORS 181A.160 requires a law enforcement agency to, immediately upon the arrest of a person for a crime, place the arrested person's fingerprints and identifying data on forms prescribed or furnished by the Department of State Police, photograph the arrested person and promptly transmit the form and photograph to the department. If the arrest is not disposed of by the agency the agency is required to forward the report to the court that will ultimately dispose of the case.

Under ORS 181A.175, when a court receives a disposition report from a law enforcement agency pursuant to ORS 181A.160, the court shall transmit disposition information to the Department of State Police in a manner and format determined by the State Court Administrator after consultation with the department.

HB 2133 requires palm prints and a unique arrest fingerprint control number be included in arrest disposition reports and forward by law enforcement agencies to both the district attorney and the court in cases that are not disposed by the agency. The measure also requires the district attorney or a court to transmit disposition information as specified in teh measure to the Department of State Police for entry into the Law Enforcement Data System.