

HB 2400 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 3/25, 4/13

WHAT THE MEASURE DOES:

Provides that a victim of sexual assault or crime involving domestic violence has a right to obtain law enforcement records relating to the crime. Requires law enforcement agencies to provide a copy of reports and records of child abuse and neglect investigation to the victim, or the victim's attorney, upon request. Requires a district attorney in any criminal prosecution to make all discovery that was disclosed to defendant available to victim, upon request, .

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under the Oregon Constitution, in adult criminal proceedings, a crime victim has the right, upon request, to obtain information about the conviction, sentence, imprisonment, criminal history and future release from physical custody of the criminal defendant or convicted criminal. The same right is provided by statute. However, with the exception of a victim of a collision involving a defendant alleged to have been under the influence of intoxicants while driving, a crime victim does not have a statutory or constitutional right to receive a copy of reports relating to the crime.

House Bill 2400 would require law enforcement agencies and district attorneys to provide certain crime victims copies of criminal reports related to the crime for which they are the listed victim.