

SB 188 A STAFF MEASURE SUMMARY

Carrier: Sen. Dembrow

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Action Date: 03/11/21
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-3-0-0
Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski
Nays: 3 - Heard, Linthicum, Thatcher
Fiscal: Has minimal fiscal impact
Revenue: Has minimal revenue impact
Prepared By: Channa Newell, Counsel
Meeting Dates: 2/25, 3/11

WHAT THE MEASURE DOES:

Allows proceeding to be returned to Multnomah County Circuit Court in Gresham from Portland court upon motion of any party if accused person is not in custody and all warrants have been vacated or executed. Clarifies that state traffic felony offenses will be transferred to Portland court. Clarifies that misdemeanor and other violations may be heard at Gresham court location.

ISSUES DISCUSSED:

- History of measure
- Increasing access to justice by increasing services at courthouse
- Transfer of certain proceedings to courthouse in Portland
- Effect of amendment

EFFECT OF AMENDMENT:

Clarifies that misdemeanor and other violations may be heard at Gresham court location.

BACKGROUND:

Currently, all traffic offenses or misdemeanor proceedings that occur east of 122nd Avenue within the north and south confines of Multnomah County are conducted in the Gresham court location of the Multnomah County Circuit Court. Proceedings originating in the Gresham court must be transferred to the Portland court if the defendant is in custody of the sheriff or Department of Corrections or a warrant has been issued against the defendant.

Senate Bill 188 A modifies the criteria for determining if a defendant's case should remain in the Multnomah County Circuit Court's Gresham court or be transferred to the court located in Portland. The measure clarifies that misdemeanor and violation traffic offenses and other misdemeanors and violations will be heard in the Gresham court unless the accused requested a trial in the Portland court. Any felony charge would be conducted in the Portland court. Additionally, the measure allows any party to move to return a proceeding to the Gresham court if the accused is not in custody and all warrants have been vacated or executed, unless good cause is shown to keep the proceeding in Portland. The measure also allows a proceeding that would have been transferred to Portland because the accused is in the custody of the county sheriff or Department of Corrections, the accused is charged with a felony, or a warrant has been issued against the person, to remain in Gresham if good cause is shown.