

## SENATE AMENDMENTS TO SENATE BILL 418

By COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

April 23

1 Delete lines 4 through 7 of the printed bill and insert:

2 **“SECTION 1. (1) A statement made by a person during a custodial interview conducted**  
3 **by a peace officer is presumed to be involuntary if the person is under 18 years of age and**  
4 **the statement is made in connection with an investigation into a misdemeanor or a felony,**  
5 **or an allegation that the person being interviewed committed an act that, if committed by**  
6 **an adult would constitute a misdemeanor or a felony, and the court determines that the**  
7 **peace officer intentionally used information known by the officer to be false to elicit the**  
8 **statement. This presumption may be overcome if the state proves by clear and convincing**  
9 **evidence that the statement was voluntary and not made in response to the false information**  
10 **used by the peace officer to elicit the statement.**

11 **“(2) As used in this section:**

12 **“(a) ‘Custodial interview’ has the meaning given that term in ORS 133.402.**

13 **“(b) ‘Peace officer’ has the meaning given that term in ORS 133.005.**

14 **“SECTION 2. Section 1 of this 2021 Act applies to custodial interviews conducted on or**  
15 **after the effective date of this 2021 Act.”.**

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