

SB 1191 -2 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/25, 4/2

WHAT THE MEASURE DOES:

The measure excepts the act of informing another person about their civil and constitutional rights from crimes relating to interference with law enforcement, refusing to assist police, and obstructing governmental or judicial administration.

FISCAL: No fiscal impact.

REVENUE: Has minimal revenue impact.

ISSUES DISCUSSED:

- "Know your rights" training
- Sanctuary sites
- Consequences of informing a person incorrectly about their rights
- Distinguishing between simply providing information and physically obstructing

EFFECT OF AMENDMENT:

-2 The amendment limits the measure's applicability to 162.232 to subsection (1)(a) regarding intentional obstruction of administrative, governmental or judicial functions. The amendment adds language to clarify that the exception from ORS 162.245 (offense of refusing to assist a peace officer) is for the act "by itself" of informing another person of the other person's civil or constitutional rights.

BACKGROUND:

The United States Constitution and the Oregon Constitution reserve certain rights to the people that the government may not unreasonably infringe upon. Well known examples include the freedom of speech, association, press, religion, the right to liberty and due process, the right to not self-incriminate oneself, and the right to be free from unreasonable searches and seizures. Civil rights may also guarantee people equal protection and opportunity under the law, without discrimination based on protected class membership, and the right to bring a civil action against a person for a deprivation of a constitutional right.