

HB 4072 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 2/9

WHAT THE MEASURE DOES:

The measure excludes holidays, weekends, and days when a court is closed from the 96 hours within which a person must be arraigned after being arrested and released from custody on an accusatory instrument. Takes effect on the 91st day after adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

When a person is arrested on an “accusatory instrument,” like an indictment or information and then released before being arraigned, ORS 135.010 requires the person to be arraigned within 96 hours after their arrest. Currently, those 96 hours include holidays, weekends, and days the court is closed, for example during weather closures or power outages. This can cause a significant buildup of out-of-custody arraignments after holidays or unexpected closures and, as a result, create long, difficult to manage arraignment dockets. House Bill 4072 would exclude those days from the 96-hour time requirement.