



Legislative Fiscal Office
 83rd Oregon Legislative Assembly
 2026 Regular Session

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Bill Title: Relating to scrutinizing death.

Government Unit(s) Affected: Cities, Department of State Police, Higher Education Coordinating Commission, Counties, District Attorneys

Summary of Fiscal Impact:

2025-27 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of State Police	\$ 6,212,854	\$ -	\$ -	\$ -	\$ 6,212,854	32	8.00
Total Fiscal Impact	\$ 6,212,854	\$ -	\$ -	\$ -	\$ 6,212,854	32	8.00
2027-29 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of State Police	\$ 18,183,280	\$ -	\$ -	\$ -	\$ 18,183,280	32	32.00
Total Fiscal Impact	\$ 18,183,280	\$ -	\$ -	\$ -	\$ 18,183,280	32	32.00

Measure Description

The measure modifies the requirements of an investigator, as defined in the measure, investigating the death of a decedent. If the investigator determines the suspect has died from suicide, accident, or other determined causes, and there is information, evidence, or circumstances known to, or made available to, the investigator, that the decedent was, or had been, alleged to be a victim of domestic violence or of actual or suspected child abuse, then the investigator must also determine whether three or more conditions specified by the measure are present. If the investigator determines the factors are present, then the investigator is required to review any documented evidence of historical abuse and interview family members of the decedent. After taking those actions, if a law enforcement officer, or the district medical examiner, determines a reasonable basis exists to suspect that the death may be a homicide that is the result of domestic violence or child abuse, the officer, or district medical examiner, is required to contact the Oregon State Police's Office of the [State] Chief Medical Examiner (OSP-OCME) to request a further post-mortem examination of the body.

The measure requires the OSP-OCME to respond to the request for further post-mortem examination without "undue delay." The body of the decedent may not be released until after the consultation has occurred and any additional information has been provided, and the recommendations of the Chief Medical Examiner have been completed. Additionally, the measure allows the district attorney or a district medical examiner order a performance of post-mortem assessment be conducted by the OSP-OCME, if there is a reasonable basis to suspect the decedent died due to a homicide due to domestic violence or child abuse.

Lastly, the measure specifies that if an investigating law enforcement agency has closed the criminal investigation, and the medical examiner finds the manner of death is not a homicide, any parent, spouse, sibling, child, or personal representative may examine and obtain copies of any evidence or records in the custody of

the law enforcement agency or medical examiner related to the decedents case and any photographs, images, negatives, prints or video of the decedent that was generated during an autopsy or investigation by a district medical examiner. In addition, the measure creates requirements of law enforcement to provide written notice to specified contacts when opening an investigation into the death of a decedent suspected to have died from suicide or suspicious circumstances.

Fiscal Analysis

Department of State Police

The fiscal impact for the Oregon State Police (OSP) is estimated to be \$6.2 million General Fund and 32 positions (8.00 FTE) in the 2025-27 biennium, and phase-in based on the operative date of the measure, and \$18.2 million General Fund and 32 positions (32.00 FTE) in the 2027-29 biennium.

OSP houses the Office of the State Medical Examiner, which is responsible for managing all aspects of the state medical examiner program and has the responsibility for the technical supervision of county offices in each of Oregon's 36 counties. The Office's forensic pathologists certify the cause and manner of a death requiring investigation. This may include post-mortem examination or alcohol and drug analysis. Additionally, the division maintains state records and provides lectures and training on legal medicine and death investigations to medical school physicians and students, attorneys, law students, police officers, emergency medical technicians, and others associated with death investigations.

Under the measure, if a decedent has a history of being a victim of domestic violence or child abuse and the investigator deems the death a suicide or accident, but family members suspect the death was actually a homicide resulting from abuse, then they must follow the conditions outlined by the measure and investigate these manners deeper. Because of this, the Office of the State Medical Examiner estimates that the new criteria allowing a district attorney or a state medical examiner to order a post-mortem assessment would increase these requests received by the division. While not every request may call for a full autopsy, the number of consultations of OSP-OCME will also increase.

The division is anticipating an increase in autopsy workloads of up to 2,425 cases per year, or 4,850 per biennium, based on autopsy data from 2025. Currently, the division has nine Deputy Medical Examiner positions and anticipates the need for 10 additional permanent full-time Deputy Medical Examiner positions (2.50 FTE in 2025-27 and 10.00 FTE in 2027-29). The 10 additional positions would be to address the additional workload by the measure, allowing for 243 cases per examiner per year.

Additionally, the division anticipates the need of the following permanent full-time positions to work alongside the medical examiners:

- 10 Medical Laboratory Technician 2 (2.50 FTE in 2025-27 and 10.00 FTE in 2027-29)
- One Forensic Manager 1 (0.25 FTE in 2025-27 and 1.00 FTE in 2027-29)
- One Forensic Supervisor 2 (0.25 FTE in 2025-27 and 1.00 FTE in 2027-29)
- Eight Administrative Specialist 2 (2.00 FTE in 2025-27 and 8.00 FTE in 2027-29)
- One Office Specialist 2 (0.25 FTE in 2025-27 and 1.00 FTE in 2027-29)
- One Research Analyst 3 (0.25 FTE in 2025-27 and 1.00 FTE in 2027-29)

These positions would assist in supporting the additional workload and administrative functions required by the measure. The administrative positions would help in the increased workload anticipated by the measure regarding the right to examine records. The estimated costs for these positions, including standard position-related services and supplies costs, is \$6.2 million General Fund in the 2025-27 biennium and \$17.2 million General Fund in the 2027-29 biennium. Additionally, OSP-OCME anticipates a one-time \$1 million General Fund in capital outlay in the 2027-29 biennium due to the needs for additional space to house the additional staff as well as any additional body storage.

Counties

There is an indeterminate impact on counties. Counties conduct death investigations from a “medico-legal” perspective. In larger counties, this work is done by a certified legal death investigator that is usually from the county health department. In smaller counties, this is typically done by a deputy sheriff who is both the medical death investigator and the criminal investigator.

Counties are anticipating an increased number of cases that would now qualify for additional post-mortem investigation that previously would not have been ordered. While the amount of the increase is indeterminate, it is estimated the fiscal impact could be up to \$1.5 million per year, or \$3 million per biennium, and require additional position/FTE and resources of the counties to meet the increased workloads, storage, and transportation costs for decedents.

Other entities

There is a minimal fiscal impact to the Higher Education Coordinating Commission and District Attorneys.

Relevant Dates

The measure takes effect on January 1, 2027.