

2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 578

STATUS: B Engrossed

SUBJECT: Creates crime of subjecting another person to involuntary servitude.

GOVERNMENT UNIT AFFECTED: Department of Justice, Oregon Judicial Department, Criminal Justice Commission, Department of Corrections, Public Defense Services Commission

PREPARED BY: Tim Walker

REVIEWED BY: Doug Wilson, Robin LaMonte

DATE: June 16, 2007

2007-2009

2009-2011

EXPENDITURES:

See Comments

EFFECTIVE DATE: On passage.

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: This bill creates the crime of subjecting another person to involuntary servitude as a class B and class C felony depending upon the circumstances; allows the victim to seek restitution; includes involuntary servitude and human trafficking within Oregon's racketeering statute; and allows a victim to raise the defense of duress when the victim was forced to commit a crime.

The Criminal Justice Commission (CJC) estimates this bill may result in 5 new cases annually resulting in 24 month prison sentences and 36 months of post prison supervision in each case. The Department of Corrections (DOC) estimates a prison bed impact of \$163,180 in the 2007-09 biennium and \$520,057 in the 2009-11 biennium. There would also be a post prison supervision cost of \$29,401 in 2009-11. DOC used \$79.06 per day to calculate the prison bed impact and \$9.31 per day to calculate the post prison supervision costs. The prison bed impact would peak at \$530,000 per biennium in the 2011-13 biennium.

The Oregon Judicial Department (OJD) and the Public Defense Services Commission (PDSC) anticipate the increased costs to be minimal. The average cost per felony case for OJD is \$511 and for PDSC it is \$2,561 for a class B felony and \$1,866 for a class C felony. Depending upon how these cases are charged, it may cost OJD and PDSC an additional \$27,000 per biennium.