

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Beyer, Kruse, Prozanski, Walker, Burdick

Nays: 0

Exc.: 0

Prepared By: Bill Taylor, Counsel

Meeting Dates: 4/19, 4/26

WHAT THE MEASURE DOES: Approves changes that the Oregon Criminal Justice Commission (Commission) made to OAS 213-004-0001, a regulation that will allow a judge to consider the risk that a defendant will re-offend when sentencing the defendant. Requires the Commission to prepare a report analyzing the effectiveness of the amendments made to OAR 213-004-0001 and submit this report to the Interim Session Judiciary Committee no later than January 1, 2011. Requires the Commission to repeal OAR 213-004-0001 after March 1, 2011 and before May 1, 2011.

ISSUES DISCUSSED:

- Risk assessment
- Costs

EFFECT OF COMMITTEE AMENDMENT: Replaces the bill.

BACKGROUND: The purpose of the Oregon Criminal Justice Commission is to improve the effectiveness and efficiency of state and local criminal justice systems by providing a centralized and impartial forum for statewide policy development and planning. Its primary duty is to develop a state criminal justice policy and comprehensive, long-range plan for coordinated state criminal justice system that encompasses public safety, offender accountability, crime reduction and prevention and offender treatment. The plan must include, but need not be limited to, recommendations regarding methods of reducing the risk of future criminal conduct.

The 2005 Legislative Assembly directed the Commission to study feasibility of incorporating consideration of reduction of criminal behavior and reduction of the crime rate into sentencing guidelines. The Commission has done so and has adopted a regulation requiring judges to consider a risk assessment tool approved by the Commission. ORS 137.667 requires the Legislative Assembly to approve the regulations of the Oregon Criminal Justice Commission.