

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass
<b>Vote:</b>	8 - 0 - 1
<b>Yeas:</b>	Barker, Bonamici, Cameron, Flores, Komp, Krieger, Read, Whisnant
<b>Nays:</b>	0
<b>Exc.:</b>	Macpherson
<b>Prepared By:</b>	Bill Taylor, Counsel
<b>Meeting Dates:</b>	5/4

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**WHAT THE MEASURE DOES:** Approves adoption of amendments to sentencing guidelines made by the Oregon Criminal Justice Commission in response to legislation enacted during the 2005 legislative session. Changes the word “mailed” to “furnished” for purposes of notice. Classifies Unlawful Contact with a Child, and Custodial Sexual Misconduct in the First Degree as Personal Felonies. Classifies Custodial Misconduct in the Second Degree, Unlawfully being in a Location Where Children Regularly Congregate, Maintaining a Dangerous Dog as Class A Misdemeanors. Modifies the definition of “presumptive sentence” in light of repeat methamphetamine sentence. Modifies the duration of “post prison supervision.” Categorizes Custodial Sexual Misconduct I and Unlawful Contact with a Child as a category 7 crime. Modifies rule to allow court to submit sentencing information electronically. Categorizes amended Child Neglect in the First Degree as a category 6 crime. Categorizes Disorderly Conduct in the First Degree as a category 4 crime. Categorizes Assault I on a Child Under Six as a category 10 crime. Conforms amendments for renumbering drug crimes category 6, category 4, and category 1 crimes.

**ISSUES DISCUSSED:**

- Legislature must approve the changes that the Oregon Criminal Justice Commission makes to sentencing guidelines
- Sentencing guidelines use both the seriousness of the crime and the convicted defendant’s criminal history to determine the defendant’s sentence

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** This measure approves the rules and amendments to rules made by the Oregon Criminal Justice Commission (OCJC) as directed by the legislature in 2005. Pursuant to its statutory duty under ORS 137.667, the OCJC reviews all new legislation that creates new crimes or modifies existing crimes. OCJC is then required to adopt or modify its Oregon Administrative Rules to reflect changes made by the legislature. Under ORS 137.667(4), any OCJC rule not subsequently approved by the next legislature is repealed effective the January 1 following adjournment.