

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass
Vote: 3 - 0 - 2
Yeas: Beyer, Kruse, Burdick
Nays: 0
Exc.: Prozanski, Walker
Prepared By: Miranda Plummer, Counsel
Meeting Dates: 3/1

WHAT THE MEASURE DOES: Approves adoption of amendments to sentencing guidelines by Oregon Criminal Justice Commission as a result of 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. Amends the definition of “presumptive sentence” in light of repeat methamphetamine sentence. Amends the duration of “post prison supervision.” Categorizes Custodial Sexual Misconduct I and Unlawful Contact with a Child as a category 7 crime. Amends 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:

- Any charges of Custodial Sexual Misconduct since its inception
- Drafting error in original legislation
- Maintaining a Dangerous Dog must lead to a person’s death

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The criminal sentencing guidelines are codified in the Oregon Administrative Rules. Under ORS 137.667, these rule changes will sunset on January 1, 2008 if the legislature does not ratify them.