

House Bill 2933

Sponsored by Representative SHIELDS (at the request of Jess Barton)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires preparation of racial and ethnic impact statements that assess impact of prison-related legislation and certain prison-related rulemaking on racial and ethnic profile of prison population.

A BILL FOR AN ACT

1
2 Relating to criminal justice; creating new provisions; and amending ORS 137.656 and 144.050.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2007 Act and the amendments to ORS 137.656 and 144.050**
5 **by sections 3 and 4 of this 2007 Act may be cited as the Racial and Ethnic Impact Statement**
6 **Act.**

7 **SECTION 2. (1) Any legislation that could change the state's prison population shall be**
8 **accompanied by a racial and ethnic impact statement.**

9 **(2) Before any legislative committee hearing on legislation that would affect the state**
10 **prison population, the committee shall submit a written request to the Oregon Criminal**
11 **Justice Commission to prepare and submit to the committee a racial and ethnic impact**
12 **statement as described in ORS 137.656.**

13 **SECTION 3. ORS 137.656 is amended to read:**

14 137.656. (1) The purpose of the Oregon Criminal Justice Commission is to improve the effec-
15 tiveness and efficiency of state and local criminal justice systems by providing a centralized and
16 impartial forum for statewide policy development and planning.

17 (2) The primary duty of the commission is to develop and maintain a state criminal justice policy
18 and comprehensive, long-range plan for a coordinated state criminal justice system that encompasses
19 public safety, offender accountability, crime reduction and prevention and offender treatment and
20 rehabilitation. The plan must include, but need not be limited to, recommendations regarding:

21 (a) Capacity, utilization and type of state and local prison and jail facilities;

22 (b) Implementation of community corrections programs;

23 (c) Alternatives to the use of prison and jail facilities;

24 (d) Appropriate use of existing facilities and programs;

25 (e) Whether additional or different facilities and programs are necessary;

26 (f) Methods of assessing the effectiveness of juvenile and adult correctional programs, devices
27 and sanctions in reducing future criminal conduct by juvenile and adult offenders; and

28 (g) Methods of reducing the risk of future criminal conduct.

29 (3) Other duties of the commission are:

30 (a) To conduct joint studies by agreement with other state agencies, boards or commissions on
31 any matter within the jurisdiction of the commission.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) To provide Oregon criminal justice analytical and statistical information to federal agencies
2 and serve as a clearinghouse and information center for the collection, preparation, analysis and
3 dissemination on state and local sentencing practices.

4 (c) To provide technical assistance and support to local public safety coordinating councils.

5 (d) To receive grant applications to start or expand drug court programs as defined in ORS
6 3.450, to make rules to govern the grant process and to award grant funds according to the rules.

7 (4) The commission shall establish by rule the information that must be submitted under ORS
8 137.010 (9) and the methods for submitting the information. A rule adopted under this subsection
9 must be approved by the Chief Justice of the Supreme Court before it takes effect.

10 **(5)(a) The commission shall develop a standardized protocol for the preparation of racial
11 and ethnic impact statements.**

12 **(b) A racial and ethnic impact statement shall include the following:**

13 **(A) An estimate of how proposed legislation would change the racial or ethnic profile of
14 the state's prison population, for racial and ethnic groups for which data are available.**

15 **(B) A statement of the methodologies and assumptions used in preparing the estimate.**

16 **(c) Upon receipt of a legislative committee's request for a racial and ethnic impact
17 statement on proposed legislation, the commission shall prepare and submit the statement
18 to the committee before its hearing on the legislation.**

19 **SECTION 4.** ORS 144.050 is amended to read:

20 144.050. (1) Subject to applicable laws, the State Board of Parole and Post-Prison Supervision
21 may authorize any inmate, who is committed to the legal and physical custody of the Department
22 of Corrections for an offense committed prior to November 1, 1989, to go upon parole subject to
23 being arrested and detained under written order of the board or as provided in ORS 144.350.

24 (2) The [state] board may establish rules applicable to parole. **In the establishment of any
25 such rule, the board shall, consistent with the process described in ORS 137.656 (5), prepare
26 and consider a racial and ethnic impact statement.**

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