

Senate Bill 1009

Sponsored by COMMITTEE ON JUDICIARY (at the request of Oregon Criminal Defense Lawyers Association)

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**.

Modifies Oregon Criminal Justice Commission's method of calculating criminal history and consecutive sentences under certain circumstances.

A BILL FOR AN ACT

1
2 Relating to sentencing.

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

4 **SECTION 1. (1) When an offender is sentenced for a crime, the offender's criminal his-**
5 **tory may not include crimes that were, or could have been, joined for trial under ORS 132.560**
6 **(1)(b) with the crime or crimes of conviction for which the offender is sentenced.**

7 **(2) Multiple previous convictions shall be considered a single conviction for the purposes**
8 **of determining an offender's criminal history if the previous convictions were, or could have**
9 **been, joined for trial under ORS 132.560 (1)(b). The offender's criminal history shall be cal-**
10 **culated using the crime of conviction that has the highest crime seriousness ranking of the**
11 **crimes that were, or could have been, joined for trial under ORS 132.560 (1)(b).**

12 **(3) Subject to the requirements of ORS 137.079, any limitations established by the Oregon**
13 **Criminal Justice Commission by rule on the length of sentences imposed consecutively shall**
14 **apply to crimes that were, or could have been, joined for trial under ORS 132.560 (1)(b).**
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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.