

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	9 - 0 - 0
Yeas:	Boone, Cowan, Dembrow, Freeman, Huffman, Maurer, Olson, VanOrman, Tomei
Nays:	0
Exc.:	0
Prepared By:	Keely West, Administrator
Meeting Dates:	5/15

WHAT THE MEASURE DOES: Requires the Department of Human Services adopt rules applicable to secure residential treatment facilities that house persons released under the jurisdiction of the Psychiatric Security Review Board. Requires the rules address minimum standards of security, health, and safety; an emergency preparedness plan; minimum training standards; and ensure compliance with orders of the court or board.

ISSUES DISCUSSED:

- Community protection and notification
- Codification of current practice

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: When someone commits a crime and is found by the Courts to be “guilty except for insanity,” he or she is placed under the jurisdiction of the Oregon Psychiatric Security Review Board (PSRB) for the maximum sentence length provided by statute for the crime. The Department of Human Services is responsible for securing residential treatment homes and facilities housing individuals who, as a condition of their release under the jurisdiction of PSRB, are required to live in a secure home or facility located in various communities throughout Oregon.

Oregon state law is explicit that PSRB must put public safety first. State law prohibits conditional release of a client into a community facility if the person poses a danger to others. Most PSRB clients begin their treatment at the Oregon State Hospital. Clients who are able to move to conditional release are carefully monitored by the PSRB and could be immediately returned to the state hospital if they were to violate the terms of their release order. PSRB is very effective; the cumulative recidivism rate for the last 10 years for PSRB clients is 2.2 percent compared to the Department of Corrections recidivism rate of 31.4 percent.

When a client under the jurisdiction of PSRB is released, the law requires notification of a variety of public officials: the district attorney from the committing county; the judge who signed the judgment order; victim(s), if they requested notification; the Attorney General’s office; the client’s attorney; and the client’s case manager. However, under current law there is no requirement to notify local law enforcement or related community organizations when a treatment home is being planned. Proponents assert that the adoption of facility, training and notification standards are critical in creating an environment of trust between government and the local communities. Several complementary pieces of legislation have been or are being considered during this session.