2009 Regular Legislative Session FISCAL ANALYSIS OF PROPOSED LEGISLATION Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 74 STATUS: Original

SUBJECT: Requires an application fee for offenders seeking to transfer supervision to another state under the Interstate Compact for Adult Offender Supervision.

GOVERNMENT UNIT AFFECTED: Department of Corrections and Office of the Governor

PREPARED BY: Tim Walker

REVIEWED BY: Doug Wilson and Daron Hill

DATE: February 10, 2009

EXPENDITURES:	<u>2009-2011</u>	<u>2011-2013</u>
Office of the Governor		
Out of State Travel – Other Funds	\$ 37,500	\$ 50,000
Professional Services – Other Funds	\$ 37,500	\$ 50,000
	\$ 75,000	\$ 100,000
	2009-2011	2011-2013
REVENUES:		
Office of the Governor		
Non-business License and Fees – Other Funds	\$ 75,000	\$ 100,000

EFFECTIVE DATE: January 1, 2010

GOVERNOR'S BUDGET: This bill is anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: This bill requires adult offenders desiring to transfer supervision to another state under the Interstate Compact for Adult Offender Supervision to pay a fee determined by the Department of Corrections. The fees paid by the offenders will be deposited in the Arrest and Return Account and continuously appropriated to pay the costs of retaking offenders who have transferred supervision to another state.

Under current law, offenders that transfer to another state and then violate their supervision agreements are not returned to the state. Under the Interstate Compact for Adult Offenders, when an offender violates their supervision agreement the "home" state will be required to bring the offender back. This bill will allow the Department of Corrections to set a fee to defray the costs of extradition. If the offender is located in one of the nearby states, then the Department of Corrections will affect the transfer of the offender. If the offender is located in a more distant state, the Governor's Office will contract with a Federal Marshall or one of the private extradition companies to bring the offender back to the state. The Governor's Office is responsible for all extraditions. The Department of Corrections, in cooperation of the Governor's Office, has set a fee at that will be applied on a sliding scale depending upon the ability of the offender to pay. It is not known how many individuals may reoffend or otherwise violate their supervision agreements and need to be extradited back to Oregon. In addition, it is difficult to estimate

where these offenders may be located. This is the Agency's best approximation of what they estimate the costs will be under this bill. The Office of the Governor's budget includes a policy option package to fund this program. This bill continuously appropriates funds to the Arrest and Return Account to pay the costs incurred in retaking offenders.