

75th OREGON LEGISLATIVE ASSEMBLY - 2010 Special Session  
STAFF MEASURE SUMMARY  
Senate Committee on Rules

**MINORITY REPORT**  
**MEASURE:** SJR 44B  
**CARRIER:** Sen. Ferrioli

**REVENUE:** No revenue impact  
**FISCAL:** Fiscal statement issued

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**Action:** Do Adopt with Amendments to the A-Eng. Measure (Printed B-Eng.)  
**Signers of the Report:** Sen. Atkinson and Sen. Ferrioli  
**Prepared By:** Erin Seiler, Administrator  
**Meeting Dates:** 2/15

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**WHAT THE MINORITY REPORT DOES:** Proposes amendment to Oregon Constitution to create section of Article I that would prohibit criminal defendant, convicted of felony and sentenced to term of imprisonment of more than one year, from being granted reduction in term of imprisonment for good behavior that exceeds 15 percent of sentence imposed. Refers proposed amendment to people for their approval or rejection at next regular general election.

**ISSUES DISCUSSED:**

- Relative costs of general obligation bonds and other methods of financing debt
- Savings on interest costs

**EFFECT OF MINORITY AMENDMENT:** Replaces the measure.

**BACKGROUND:** ORS 421.121 allows inmates sentenced to the custody of the Department of Corrections (DOC) for felonies committed on or after November 1, 1989, to be eligible for a reduction in the term of incarceration for: appropriate institutional behavior; participation in the adult basic skills development program; obtaining a high school diploma, a General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution, or a journey level certification from a registered apprenticeship program. The maximum amount of time earned for appropriate institutional behavior, for participation in the adult basic skills development program, or for obtaining a diploma, certificate or degree may not exceed 30 percent of the total term of incarceration in a DOC institution.

In addition, the maximum amount of earned time may not exceed 20 percent of the total term of incarceration in a DOC institution if the sentence is for conviction of crimes including rape in the third degree, sodomy in the third degree, and assault in the third fourth degrees.

Senate Joint Resolution 44B would limit any criminal defendant, convicted of any type felony, who is sentenced to more than one year in prison from being eligible for more a 15 percent reduction in their total sentence.

2/18/2010 11:20:00 AM

*This summary has not been adopted or officially endorsed by action of the committee.*

Committee Services Form – 2009 Regular Session