

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means
Vote:	5 - 0 - 0
Yeas:	Bonamici, Dingfelder, Kruse, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	2/16, 3/21, 4/20

WHAT THE MEASURE DOES: Allows a court to sentence a person to supervision who would otherwise be sentenced to prison if the court finds that a sentence of probation with supervision would better serve the protection of society, accountability and reformation pursuant to section 15, Article I of the Oregon Constitution and there are substantial and compelling reasons. Creates a grant program administered by the Oregon Criminal Justice Commission (Commission) to assist county community corrections programs for those placed on supervised probation under this bill and for those on post-prison supervision and who are at a high risk of re-offending. Requires the Commission to contract with a qualified person to evaluate the grant programs.

ISSUES DISCUSSED:

- Treatment and sanctioning in the community

EFFECT OF COMMITTEE AMENDMENT: Replace the measure.

BACKGROUND: Senate Bill 1145 (1995) created a new relationship between the State of Oregon and counties in the area of community corrections. Under the measure, counties assume responsibility for felons: (a) on parole; (b) on probation; (c) on post-prison supervision; (d) sentenced to 12 months or less incarceration; or (e) sanctioned by a court or the State Board of Parole and Post-Prison Supervision to 12 months or less for violating a condition of parole or post-prison supervision. In return for the counties assuming responsibility for these defendants, the State of Oregon has assisted counties in building and remodeling jails and reimburses counties for the expenses associated with supervising this population.

Senate Bill 1145 allows counties to impose sanctions other than incarceration unless the sentencing court finds substantial and compelling reasons that the defendant be incarcerated. This provision is intended to allow counties to design a treatment program that gradually works the inmate back into the community. For example, part of an inmate's sentence could include incarceration in the county jail, followed by closed-custody residential group living, followed by return to the community through a day reporting program. Studies show that programs that gradually work an offender back into the community make it less likely the offender will re-offend. Senate Bill 416 A is intended to build on this success. Also, programs designed to help inmates returning to the community can substantially reduce recidivism rates.