

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass and Rescind the Subsequent Referral to the Committee on Judiciary

Vote: 7 - 0 - 0

Yeas: Boone, Esquivel, Fagan, Huffman, Parrish, Witt, Matthews

Nays: 0

Exc.: 0

Prepared By: Elizabeth Edwards, Administrator

Meeting Dates: 4/9, 4/11

WHAT THE MEASURE DOES: Requires courts to consider defendant's servicemember status at sentencing. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Substantial and compelling reasons to consider servicemember status at sentencing
- Not providing special treatment
- Similar legislation heard before
- Service-related injuries as mitigating factor
- Servicemembers' post-traumatic stress disorder result of government action rather than life circumstance
- Importance of getting servicemembers in legal system back on track

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Currently, Oregon courts may consider all manner of information bearing on aggravation or mitigation of a defendant's sentence. Senate Bill 124 expressly includes the defendant's status as a servicemember as a factor for consideration.