

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2607 - A

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Date: 4-24-2013

Measure Description:

Modifies method of determining amount of presentence incarceration credits for persons convicted of crime.

Government Unit(s) Affected:

Department of Corrections, Judicial Department, Oregon Criminal Justice Commission

Summary of Expenditure Impact: See Analysis

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:

The measure modifies the method of determining the amount of presentence incarceration credits for persons convicted of a crime. The measure allows for a person to receive credit for time served in confinement prior to delivery into custody of the Department of Corrections (DOC) under certain circumstances.

DOC notes that the intent of the measure appears to be to allow for increased incarceration credits; however DOC believes the measure will actually deny credit that is currently granted for individuals in certain circumstances.

Currently, DOC grants credit for time served for separate non-continuous periods of time in jail if the inmate is being held for the same crime. The measure would require credit to be provided for uninterrupted time, thus reducing the amount of credits currently granted. Additionally, the measure stipulates that an individual can only earn credit toward the first judgment of conviction entered by the court. Currently, if a person is held on multiple charges and receives concurrent sentences, credit for time served is granted for each concurrent sentence and not just the first conviction.

The fiscal impact is indeterminate. The number of inmates affected, the length of sentences imposed and the length of confinement prior to delivery to DOC is unknown.

There is a minimal fiscal impact to the Judicial Department as a result of this measure.