



# Legislative Testimony

OREGON DEPARTMENT OF CORRECTIONS

February 26, 2015

The Honorable Floyd Prozanski, Chair  
Senate Committee on Judiciary

## **RE: Senate Bill 199**

Chair Prozanski and members of the committee, I am Elizabeth Craig, Administrator of the Government Efficiencies and Communications office for the Oregon Department of Corrections (DOC). I am here to provide information related to SB 199 and answer any questions.

### **What the Bill Does:**

SB 199 requires the State Board of Parole and Post-Prison Supervision (BPPPS) to notify victims, if requested, prior to a hearing or administrative decision to reset or advance an inmate's release date in a variety of situations, to include early medical release.

### **Background Information:**

In cases of early release for medical reasons, the DOC follows a process of information gathering that is provided to the BPPPS for a ruling. Requests for early medical release can come from any number of sources, including the inmate's family or friends, DOC medical staff, the inmate him/herself, or others in the community. Once a request has been initiated, DOC verifies the petitioner's claims of medical condition, verifies the sentence and restrictions with the DOC Offender Information and Sentence Computation (OISC) unit, compiles a comprehensive body of information on the inmate's status while in custody, solicits input from the case judge and District Attorney, and develops a tentative medical plan for continued care if early release is granted. The inmate provides a release of information (ROI) form giving permission for medical information to be shared with BPPPS, and then a report is created that provides this body of information to BPPPS. This DOC process is one of information compilation, not notification.

SB 199 contains language that would require BPPPS to send written notice to victims no later than 30 days before a hearing or administrative decision [Section 3, paragraph 3(a)]. From an operational perspective, the initiation of medical release comes very near (or during) an inmate's end-of-life care, and this 30-day stipulation and adequate time to rebut the information [Section 3, paragraph 3(c)] would potentially delay the process beyond the life-span of the inmate petitioning for release.

In addition, SB 199 requires that the victim be given access to the information that the board will rely upon [Section 3, paragraph 3(c)]. DOC believes that the stipulation "Except as otherwise provided by law," may address this concern, but it should be made clear that the ROI, which

allows the release of confidential medical information to BPPPS, will not be sufficient to allow for medical information to be shared with victims per OAR 291-124-0075, and ORS 179.495 through ORS 179.505.

Thank you for your time and consideration. I am happy to answer any questions you may have.

*Submitted by:*

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