



# Legislative Testimony

OREGON DEPARTMENT OF CORRECTIONS

May 20, 2015

The Honorable Floyd Prozanski, Chair  
Senate Committee on Judiciary

## **RE: House Bill 2310A**

Chair Prozanski and members of the Senate Judiciary Committee, I am Heidi Steward, Assistant Director of the Offender Management and Rehabilitation Division for the Oregon Department of Corrections (DOC). The department participated on the workgroup that convened last session and drafted HB 4098, which attempted the same credit for time served changes that HB 2310A is bringing forth. I am here to testify in support of the bill, and answer any questions.

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

House Bill 2310A expands statute to allow for additional application of credit for time served in county jails that is currently not applicable in a variety of circumstances.

### **Background Information:**

Existing law limits the credit for time served that inmates may receive to only time spent in jail for the crime (or a lesser included crime) for which their sentence is imposed. Additionally, courts have discretion to grant or deny credit for time previously served toward probation revocation sentences.

By way of example, if a person spent six months in jail waiting for trial on a particular charge and was later convicted on that particular charge and sent to prison for two years, the six months in jail would reduce his/her prison sentence by six months. However, if the person is sentenced for a crime other than the one with which he/she was originally charged (or a lesser included crime) and then incarcerated, the person does not get credit for time served.

### **Issues Addressed by the Bill:**

This bill expands the circumstances under which persons may receive credit for time served to include greater inclusive offenses, multiple offenses considered part of the same criminal episode, as well as probation, diversion, and specialty courts. Credit for time served is a calculation of a sentence as opposed to a reduction of a sentence. Amending these statutes will also result in savings for DOC.

### **Requested Action:**

For the reasons stated above, the DOC supports HB 2310A, and encourages the committee to vote HB 2310A out of committee with a do pass recommendation.

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

*Submitted by:*

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