

**STAFF MEASURE SUMMARY****House Committee On Judiciary****Fiscal:** Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 03/26/15**Action:** Do Pass As Amended, Be Printed Engrossed, And Bill Be Referred To Ways And Means.**Meeting Dates:** 03/09, 03/26**Vote:**

Yeas: 6 - Barker, Barton, Greenlick, Krieger, Olson, Post

Exc: 3 - Lininger, Sprenger, Williamson

**Prepared By:** Eric Deitrick, Counsel**WHAT THE MEASURE DOES:**

Increases Board of Parole and Post-Prison Supervision (“Board”) to five members. Requires that Board hearings consist of panel of at least three members. Establishes that hearings can consist of full Board at request of Board chair. Establishes voting procedures based on size of panel. Requires certain Board decisions to be in writing. Makes technical changes.

**ISSUES DISCUSSED:**

- Bill concept was product of workgroup including the Board of Parole and Post-Prison Supervision, Legislative Counsel, Oregon Criminal Defense Lawyers Association, District Attorneys, Department of Justice, and crime victims
- Whether public would benefit from Internet publication of written opinions
- Workload of Board includes has increased in recent years
- Panel hearing would permit three Board members to conduct hearing while two others worked on other obligations
- Written explanations of release decisions would increase workload, but help interested parties understand Board decisions

**EFFECT OF COMMITTEE AMENDMENT:**

Eliminates obligation of Board to publish its written opinions to the Internet. Establishes voting procedures based on size of board panel. Makes technical changes.

**BACKGROUND:**

The Board of Parole and Post-Prison Supervision (“Board”) has authority to parole inmates who are within the jurisdiction of the Oregon Department of Corrections. As sentencing has evolved from largely indeterminate sentences to determinate sentences, the specific type of offenders eligible for parole has evolved as well. Today, the Board has authority over felony offenders sentenced before November 1, 1989, dangerous offenders under ORS 161.725 – 161.735, and certain murder sentences of life with the possibility of parole.

Historically, the Board has been authorized for five members, but only been funded for three members. The Board has released the votes on its decisions, but it has not been required to provide written explanations for its decisions.

House Bill 3436 A requires the Board to provide written explanations of its release decisions. It also expands the Board to five members, and requires a panel of at least three members to make release decisions. It establishes voting procedures. Section 10 of the bill also provides technical changes to the definitions of assault and torture.