

FISCAL IMPACT OF PROPOSED LEGISLATION

79th Oregon Legislative Assembly – 2017 Regular Session
Legislative Fiscal Office

Measure: SB 1050

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

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Date: 4-12-2017

Measure Description:

Provides that presumptive sentence for certain sex crimes is life imprisonment without possibility of release or parole if defendant has certain prior conviction at time of offense.

Government Unit(s) Affected:

Department of Corrections, Department of Justice, District Attorneys and their Deputies, Judicial Department, Oregon Criminal Justice Commission, Public Defense Services Commission

Summary of Expenditure Impact: See Analysis

Analysis:

The fiscal impact of the measure is indeterminate. The measure increases the penalties for certain sex crimes to a mandatory sentence of life imprisonment without the possibility of release or parole if the person has a prior conviction for these offenses. Currently, individuals convicted of these crimes are sentenced to a mandatory minimum of 25 years in prison.

The Criminal Justice Commission (CJC) reviewed Department of Corrections (DOC) facility intake data from 2010 to 2016 and found 10 intakes for one of these crimes where the individual also had a prior conviction.

There is anticipated to be a fiscal impact to DOC for an increased length of stay for certain offenders, however any costs to DOC would occur after the mandatory minimum sentence of 25 years was served and would be dependent on the life expectancy of the individual.

The measure is anticipated to have a minimal fiscal impact to the Judicial Department, District Attorney's and their Deputies, and the Department of Justice. The Public Defense Services Commission (PDSC) notes, however, that the measure could impose significant increases in public defense costs. Although there is not expected to be an increase in the number of trial cases, the increase in penalties may result in additional expenditures for these types of cases. If the measure increases affected case costs to the levels for defending murder cases, total cost increases may be in the \$1.6 million to \$2.7 million per biennium range. Additional General Fund support for the PDSC budget may be needed, if significant cost increases are incurred.