

**SB 63 STAFF MEASURE SUMMARY**

**Carrier:** Sen. Linthicum

**Senate Committee On Judiciary**

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**Action Date:** 02/09/17

**Action:** Do pass.

**Vote:** 5-0-0-0

**Yeas:** 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Josh Nasbe, Counsel

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**WHAT THE MEASURE DOES:**

Eliminates requirement that Psychiatric Security Review Board (PSRB) or Oregon Health Authority (OHA) provide notice of hearing to committing court and juvenile department. Expands time period, from 15 to 30 days, for PSRB and OHA to provide parties post-hearing, written notice of order entered.

**ISSUES DISCUSSED:**

- Court not involved after placing person under jurisdiction of agency; notice in every case creates inefficiency
- Legal issues becoming more complex; average order issued by Psychiatric Security Review Board (PSRB) is seven pages long
- Review required by part-time PSRB that meets two or three times a month
- Verbal order goes into effect immediately

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The majority of persons found guilty except for insanity of a crime are committed to the jurisdiction of the Psychiatric Security Review Board or the Oregon Health Authority. These agencies have custody of these persons and provide for their care, treatment, and supervision. Throughout the period of time the agency exercises jurisdiction, the person may be transferred to or from a state hospital or other secure facility, conditionally released or discharged. These decisions are made at a hearing conducted by the agency at which the person is represented by an attorney and the state is represented by a district attorney or the Department of Justice.