

SB 714 A STAFF MEASURE SUMMARY

Carrier: Sen. Winters

Senate Committee On Judiciary

Action Date: 04/18/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

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

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Authorizes court and State Board of Parole and Post-Prison Supervision to impose reasonable residency restrictions on persons convicted of stalking and stalking protective order as condition of probation or post-prison supervision. Prohibits court and Board from requiring offender to move if victim moves to location that would otherwise cause offender to be in violation of conditions.

ISSUES DISCUSSED:

- Senate Bill 315 (2017)
- Person convicted of stalking neighbors continuing to engage in harassing behavior
- Inherent authority of the court

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

ORS 137.540 and 144.102 authorize the court, and the State Board of Parole and Post-Prison Supervision, respectively, to impose special conditions of supervision based on the circumstances of the offense and the offender. These statutes expressly authorize the court and the Board to impose specific residency requirements on persons convicted of a sex crime or certain assaults. Senate Bill 714-A expressly grants similar authority to these entities to impose reasonable residency requirements on person's convicted of stalking or violating a stalking protective order.