

Senate Bill 925

Sponsored by Senator PROZANSKI (at the request of Partnership for Safety and Justice)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Law Enforcement Assisted Diversion Pilot Program. Directs Oregon Criminal Justice Commission to administer program and award grants to law enforcement jurisdictions. Appropriates moneys from General Fund to commission for purpose of funding program.

Sunset program on July 1, 2023.

A BILL FOR AN ACT

1
2 Relating to law enforcement assisted diversion.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Oregon Criminal Justice Commission shall establish and administer**
5 **the Law Enforcement Assisted Diversion Pilot Program described in this section. From funds**
6 **appropriated to the commission for purposes of the program, the commission shall award**
7 **grants to law enforcement jurisdictions to provide pre-booking managed services as an al-**
8 **ternative to detention and prosecution of persons arrested for controlled substance, property**
9 **or prostitution crimes and such other crimes as determined by the law enforcement juris-**
10 **diction.**

11 **(2) During a grant application period established by the commission, funding shall be**
12 **awarded through a competitive application process as determined by the commission. Fund-**
13 **ing may be awarded to up to five law enforcement jurisdictions.**

14 **(3) An application for a grant awarded under this section must contain a detailed pro-**
15 **posal for the establishment of a law enforcement assisted diversion program in the**
16 **applicant's jurisdiction. The proposal must include:**

17 **(a) A description of the proposed harm reduction-based programs for participants;**

18 **(b) A description of the program budget and any other expected funding sources;**

19 **(c) A memorandum of understanding of all stakeholders concerning the operation of the**
20 **program, including local law enforcement agencies, district attorneys, criminal defense at-**
21 **torneys, service providers and community leaders or associations;**

22 **(d) A commitment to implement a non-displacement policy in which the programs pro-**
23 **vided to participants are funded solely by the grants received from the commission;**

24 **(e) A community-based, harm reduction-oriented services provider to provide case man-**
25 **agement services to program participants;**

26 **(f) A plan for implementing a stakeholder operational work group to staff cases;**

27 **(g) A plan for a site visit to observe an established law enforcement assisted diversion**
28 **program in an adjoining state; and**

29 **(h) Any other program or funding requirements established by rule by the commission.**

30 **(4) The program budget described in the application may include funding for the site visit**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 and other forms of training regarding harm reduction programs, provision of services to
2 participants or other subjects to support effective implementation.

3 (5)(a) Notwithstanding subsections (2) and (3) of this section, a county may apply for
4 funding for a law enforcement assisted diversion program as part of an application for Jus-
5 tice Reinvestment Program under section 53, chapter 649, Oregon Laws 2013.

6 (b) If a county applies for the Law Enforcement Assisted Diversion Pilot Program as
7 described in paragraph (a) of this subsection, a grant award shall first be funded by moneys
8 appropriated to the commission for the program before any Justice Reinvestment Program
9 funds may be used.

10 (c) A county awarded funding under this subsection counts as one law enforcement ju-
11 risdiction for purposes of the limit described in subsection (2) of this section.

12 (6) The commission shall establish a law enforcement assisted diversion consultation
13 group consisting of all grant recipients within the state. The commission shall ensure that
14 the consultation group meets as least biannually to support implementation of the programs
15 and shared learning. The commission may use a portion of funds appropriated to the com-
16 mission for the program to fund travel and other expenses associated with the consultation
17 group meetings.

18 (7) The commission shall adopt rules to implement this section.

19 **SECTION 2.** In addition to and not in lieu of any other appropriation, there is appropri-
20 ated to the Oregon Criminal Justice Commission, for the biennium beginning July 1, 2017,
21 out of the General Fund, the amount of \$2,000,000, for the purposes of funding the Law
22 Enforcement Assisted Diversion Pilot Program described in section 1 of this 2017 Act.

23 **SECTION 3.** Section 1 of this 2017 Act is repealed on July 1, 2023.
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