

**FISCAL IMPACT OF PROPOSED LEGISLATION**

80th Oregon Legislative Assembly – 2019 Regular Session  
Legislative Fiscal Office

**Measure: SB 1008 - MRB1**

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

Prepared by: Meg Bushman-Reinhold  
Reviewed by: Gregory Jolivet, Tim Walker, John Borden, Julie Neburka  
Date:

**Measure Description:**

Requires court to include in judgment document age of defendant at time of committing offense if defendant is sentenced to term of incarceration and physical custody of defendant is related to age of defendant at time of committing offense.

**Government Unit(s) Affected:**

District Attorneys and their Deputies (DAs), Board of Parole and Post-Prison Supervision (BPPPS), Department of Corrections (DOC), Oregon Judicial Department (OJD), Public Defense Services Commission (PDSC), Criminal Justice Commission (CJC), Department of Justice (DOJ), Oregon Youth Authority (OYA)

**Summary of Fiscal Impact:**

Costs related to the measure are indeterminate at this time - See explanatory analysis.

**Analysis:**

SB 1008A - MR11 authorizes a youth offender convicted of an offense listed in ORS 137.707 and subject to mandatory minimum sentence to be eligible for a conditional release hearing after serving at least one-half of the sentence imposed. SB 1008A also provides the parents of the youth offender and victim, if under 18, receives notice of the hearing.

The measure provides victims the opportunity to be present at the conditional release hearing and provides them access to culturally specific and trauma-informed services. Further, the court is required to include the age of the defendant in the judgement at the time they committed the offense at the time of sentencing. If the defendant is convicted of two or more offenses, the age recorded shall be the earliest date. SB 1008 -MR 11 prohibits the court from sentencing a person to life without parole and requires the court to give a mental health evaluation substantial weight. The measure adds an additional consideration when determining whether to waive a youth into adult court as to whether the youth can be safely rehabilitated under the jurisdiction of the court. Additional considerations for the court are listed within the bill.

SB 1008 -MR 11 adds a grant program directing the Oregon Youth Authority (OYA) to make grants to local juvenile departments for services including but not limited to mental health treatment, drug and alcohol treatment, dual diagnosis treatment, family counseling and multisystemic therapy. It also requires an appropriation to OYA for increased placements for offenders outside of youth correctional facilities. No dollar amounts are included for either of these appropriations.

SB 1008 -MR 11 refers the measure to the people for a vote.

Oregon Youth Authority

The Oregon Youth Authority would incur a fiscal impact for any amount included in the bill to issue grants to counties. Depending on the size of the appropriation and the number of grants, OYA may require additional staff to manage the grant program.

OYA would also incur a fiscal impact in the amount appropriated to increase placements for youth offenders. OYA would need additional staff for outreach and contract management for the increased placements.

The fiscal impact to the Oregon Youth Authority is indeterminate.

Counties and District Attorneys

This bill creates a grant program in which funds appropriated to the Oregon Youth Authority would be distributed to county juvenile departments for mental health services. There would be a fiscal impact in the amount of the grant to counties accepting such awards. District Attorneys may have a fiscal impact if “second look” hearings increase, but that impact is indeterminate and likely minimal.

Department of Corrections, Board of Parole and Post Prison Supervision, Department of Justice, Criminal Justice Commission

This bill is anticipated to have a minimal fiscal impact on these agencies.