

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 497 - 2

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office*Only Impacts on Original or Engrossed
Versions are Considered Official*Prepared by: Tim Walker
Reviewed by: John Borden, Julie Neburka
Date: 04/09/2021**Measure Description:**

Requires court to indicate in judgment document when person is convicted of designated person misdemeanor involving domestic violence.

Government Unit(s) Affected:

Criminal Justice Commission (CJC), District Attorneys and their Deputies (DAs), Public Defense Services Commission (PDSC), Department of Corrections (DOC), Oregon Judicial Department (OJD)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

	2021-23 Biennium	2023-25 Biennium
General Fund	\$7,060,171	\$21,836,336
Total Funds	\$7,060,171	\$21,836,336
Positions		
FTE		

Analysis: This measure requires county community corrections departments to supervise, sanction, and provide services to offenders convicted of designated person misdemeanors. Designated person misdemeanors include: assault 4 constituting domestic violence (ORS 163.160 (4)), menacing constituting domestic violence (ORS 163.190 (3)), and sex abuse 3 (ORS 163.415). Harassment convictions are not included in this estimate.

The Department of Corrections (DOC) is responsible for housing and managing felony offenders whose sentence exceeds one year. Felony probation and designated drug misdemeanors are overseen by Community Corrections and funded by the Legislature through DOC. The Criminal Justice Commission (CJC) estimates an additional 920 convictions per year for misdemeanor domestic assault 4 convictions that would be supervised by Community Corrections. This assumes that 54% of misdemeanor assault 4 convictions are for domestic violence, and that one third of individuals convicted are already supervised by county community corrections departments for other convictions. The average probation sentence length is 24 months. The CJC estimates 276 convictions a year for misdemeanor domestic violence menacing that would be supervised under LC 3049. This assumes that 50% of misdemeanor menacing convictions are for domestic violence, and that 44% of individuals convicted are already supervised by county community corrections departments for other convictions. The average probation sentence length is 25 months. This would result in a fiscal impact of \$7.1 million General Fund in 2021-23 and \$21.8 million General Fund in 2023-25. It is expected that costs to DOC would decrease somewhat due to more individuals entering the Community Corrections system rather than the corrections system.

District Attorneys, Pubic Defense Services Commission, Oregon Judicial Department, and the Criminal Justice Commission anticipate a minimal fiscal impact due the provisions of this measure.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its budgetary impact on the State's General Fund.