

SB 133 A STAFF MEASURE SUMMARY**Carrier:** Sen. Gelser**Senate Committee On Judiciary and Ballot Measure 110
Implementation****Action Date:** 04/07/21**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 4-3-0-0**Yeas:** 4 - Dembrow, Gelser, Manning Jr, Prozanski**Nays:** 3 - Heard, Linthicum, Thatcher**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Amie Fender-Sosa, Counsel**Meeting Dates:** 4/5, 4/7**WHAT THE MEASURE DOES:**

Describes purpose and scope of "facilitated dialogue and responsibility letter bank program" (program). Defines the communications within the program as all communications by a victim, survivor, person temporarily assigned to a youth correction facility or youth offender, or by a program facilitator, advisory committee member, volunteer, contractor or staff person, that are made in the course of or in connection to the program, when conducted pursuant to Oregon Youth Authority (OYA) rules. Describes the types of communications encompassed in the program. Limits admissibility of program communications in any judicial or administrative proceeding, except as required under rules adopted by the OYA. Establishes civil immunity for related acts or omissions unless the person acted in bad faith, malicious intent or with wanton or willful disregard for the rights, safety or property of another. Allows OYA to disclose to a victim certain information about the youth offender, when OYA seeks information from the victim about the potential impact of a crime to inform the youth offender's case plan; when OYA seeks information from the victim about the potential impact of authorizing a youth offender to go on parole; or at the request of the victim. After a waiver hearing for a youth offender, allows the district attorney to, at the request of the victim and pursuant to a protective order, provide the victim with a copy of the court's written waiver findings and determination, regardless of whether the victim appeared at the hearing or presented information to the court.

ISSUES DISCUSSED:

- Difficult for victims to access information
- Public records request process
- Groundwork for letter bank program
- OYA's desire to evolve and assist in victim/offender dialogue
- Communication must be initiated by the victim
- Measure language mirrors Department of Correction's letter bank program

EFFECT OF AMENDMENT:

Allows OYA to disclose to a victim certain information about the youth offender, when OYA seeks information from the victim about the potential impact of a crime to inform the youth offender's case plan; when OYA seeks information from the victim about the potential impact of authorizing a youth offender to go on parole; or at the request of the victim.

After a waiver hearing for a youth offender, allows the district attorney to, at the request of the victim and pursuant to a protective order, provide the victim with a copy of the court's written waiver findings and determination, regardless of whether the victim appeared at the hearing or presented information to the court.

BACKGROUND:

This summary has not been adopted or officially endorsed by action of the committee.

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Letter bank programs provide incarcerated persons an opportunity to communicate to the victims regarding their criminal behavior, their understanding of the harm caused by their crime, and to acknowledge responsibility for the consequences of their behavior. Inmates generally may also share the positive things they have done and the steps they have taken to change their lives.

Senate Bill 133 A describes the purpose and scope of an Oregon Youth Authority (OYA) "facilitated dialogue and responsibility letter bank program" and the protections for communications within the program, and allows OYA to disclose to a victim certain information about the youth offender.