

HB 2172 B STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Action Date: 05/27/21

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 4-3-0-0

Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski

Nays: 3 - Heard, Linthicum, Thatcher

Fiscal: No fiscal impact

Revenue: Has minimal revenue impact

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 5/6, 5/25, 5/27

WHAT THE MEASURE DOES:

Expands eligibility for reduction in sentence of supervision to individuals on post-prison supervision through the Department of Corrections for certain crimes. Limits current restitution payment requirements for compliance with terms of probation or post-prison supervision to demonstration of a commitment to pay restitution to the extent the person is able. Requires adoption of rules to establish standards for determining and providing ongoing notifications of eligibility for an earned reduction in supervision. Applies to sentences imposed on or after the effective date of Act.

ISSUES DISCUSSED:

- Compliance with Department of Corrections post-prison supervision required to earn reduction in term of supervision
- Certain Ballot Measure 11 crimes included in eligibility
- Success of program for reduction of supervision terms for probationers
- Incentivizing compliance with supervision conditions and requirements
- Approximately 2,500 additional individuals per year eligible to have supervision terminated early if certain requirements met

EFFECT OF AMENDMENT:

Extends eligibility for a reduction in the term of post-prison supervision to individuals sentenced for the crimes of Assault II or Robbery II. Authorizes and requires adoption of rules to establish standards for determining and providing ongoing notifications of eligibility for an earned reduction in supervision under this section.

BACKGROUND:

The Legislative Assembly enacted House Bill 3194 during the 2013 legislative session, authorizing the Department of Corrections to oversee a statewide Earned Discharge Program, specific to probationers and local control clients. Since the program was established, the Department of Corrections has seen more than 6,300 individuals successfully end their supervision early. Oregon's program is being studied by the Crime and Justice Institute, with results and recommendations expected to be reported on later in 2021.

House Bill 2172 B allows individuals serving a period of post-prison supervision to be discharged early from supervision provided they have substantially complied with the terms of their supervision.