

SB 836 B STAFF MEASURE SUMMARY

Carrier: Rep. Wallan

House Committee On Judiciary**Action Date:** 05/27/21**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 10-0-0-0**Yeas:** 10 - Bynum, Dexter, Helm, Kropf, Lewis, Morgan, Noble, Power, Wallan, Wilde**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Amie Fender-Sosa, Counsel**Meeting Dates:** 5/18, 5/27**WHAT THE MEASURE DOES:**

Directs the Department of Corrections (DOC) to establish a process for regular communication with adults in custody (AIC) participating in alternative incarceration programs regarding program changes. Requires that alternative incarceration programs be trauma-informed and gender-responsive. Requires DOC to consider all alternative options before suspending or terminating an alternative incarceration program in its entirety for more than five consecutive days. Requires DOC to report to the committees of the Legislative Assembly related to the judiciary within 30 days of DOC suspending or terminating an alternative incarceration program. Requires DOC to regularly report data to committee concerning interruptions to alternative incarceration programs and delays in release resulting from interruptions of programs. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Impact of program changes on release dates
- Importance of access to information when incarcerated

EFFECT OF AMENDMENT:

Removes requirement for Department of Corrections (DOC) to provide a written report to the legislature pursuant to OR 192.245 within 14 days of any extended suspension or termination of an alternative incarceration program. Directs DOC to instead report to the legislature within 30 days of any extended suspension or termination of an alternative incarceration program.

BACKGROUND:

An alternative incarceration program (AIP) is an intensive prison program for select inmates to address criminal risk factors. Alternative incarceration was established by House Bill 2481 (1993), creating the Summit program. Ten years later, the 2003 Oregon Legislative Assembly authorized the Department of Corrections (DOC) to establish residential AIPs that emphasize intensive alcohol and drug treatment (House Bill 2647).

Senate Bill 836 B requires DOC to consider all other alternative options before suspending or terminating an alternative incarceration program in its entirety for more than five consecutive days and directs DOC to establish a process of regular communication with AICs participating in an alternative incarceration program regarding program changes.