

SB 1027 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/23, 4/3

WHAT THE MEASURE DOES:

Modifies hearing process before State Board of Parole and Post-Prison Supervision for persons convicted of murder or aggravated murder who are sentenced to life imprisonment without possibility of parole, life imprisonment with the possibility of parole, work release or release to post-prison supervision. States that the board shall set a release date at murder review hearing upon finding that person is capable of rehabilitation and that terms of person's confinement should be changed to life imprisonment with possibility of parole, work release or release to post-prison supervision. Provides that release to post-prison supervision is limited to crimes committed on or after November 1, 1989. Specifies that release date occur 60 days after date of hearing. Provides that person with release date set at murder review hearing is not subject to prison term hearing or postponement of release date at exit interview hearing. Requires the board's final order to be accompanied by findings of fact as to each contested issue of fact. Amends language from prisoner to adult in custody.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under Oregon statute, when a defendant is convicted of aggravated murder as defined by ORS 163.095, the defendant shall be sentenced, to death, life imprisonment without the possibility of release or parole or life imprisonment. At any time after completion of a minimum period of confinement, the State Board of Parole and Post-Prison Supervision, upon the petition of the adult in custody, shall hold a hearing to determine if the adult in custody is likely to be rehabilitated within a reasonable period of time.

If the board, upon a unanimous vote of the required board members, finds that the adult in custody is capable of rehabilitation and that the terms confinement of the adult in custody should be changed to life imprisonment with the possibility of parole, or release to post-prison supervision or work release, it shall enter an order to that effect and the order shall convert the terms of confinement to life imprisonment with the possibility of parole, release to post-prison supervision, and may set a release date.

Senate Bill 1027 would direct the board, upon a unanimous vote that an adult in custody's terms of confinement should be changed to allow for release to post-prison supervision or work release, to set a release date to occur 60 days after the date of the hearing.