

Senate Bill 581

Sponsored by Senators PROZANSKI, MANNING JR, GORSEK, Representative BYNUM; Senators CAMPOS, GOLDEN, Representatives DEXTER, HUDSON, PHAM K (at the request of Transforming Justice Coalition) (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Department of Corrections to adopt rules requiring supervising officers to provide to eligible persons on supervision quarterly updates on progress toward earning reduction in supervision.

Modifies applicability of earned reduction of supervision changes in House Bill 2172 (2021).

A BILL FOR AN ACT

1
2 Relating to earned reduction in supervision; amending ORS 137.633 and section 2, chapter 450,
3 Oregon Laws 2021.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 137.633 is amended to read:

6 137.633. (1) A person convicted of a felony, a designated drug-related misdemeanor or a desig-
7 nated person misdemeanor and sentenced to probation, to post-prison supervision or to the legal and
8 physical custody of the Department of Corrections or the supervisory authority under ORS 137.124
9 (2) is eligible for a reduction in the period of probation or post-prison supervision for complying with
10 terms of probation or post-prison supervision, including demonstrating a commitment to the payment
11 of restitution to the extent the person is able to pay, and participation in recidivism reduction pro-
12 grams.

13 (2) The maximum reduction under this section may not exceed 50 percent of the period of pro-
14 bation or post-prison supervision imposed.

15 (3) A reduction under this section may not be used to shorten the period of probation or post-
16 prison supervision to less than six months.

17 (4) A person serving a sentence described as follows is not eligible for a reduction in the term
18 of supervision under this section:

19 (a) A sentence for a crime described in ORS 163.095, 163.107, 163.115, 163.118, 163.125, 163.149,
20 163.185, 163.225, 163.235, 163.365, 163.375, 163.395, 163.405, 163.408, 163.411, 163.427, 163.670, 164.325,
21 164.415 or 167.017;

22 (b) A sentence for attempt or conspiracy to commit a crime described in ORS 163.095, 163.107
23 or 163.115;

24 (c) A sentence for a crime committed prior to November 1, 1989;

25 (d) A sentence imposed under the provisions of ORS 161.610;

26 (e) A sentence imposed under the provisions of ORS 161.725 and 161.735;

27 (f) A sentence imposed under the provisions of ORS 137.635;

28 (g) A sentence imposed under the provisions of ORS 137.690, 164.061, 475.907, 475.925, 475.930
29 or 813.011; or

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (h) A term of supervision subject to ORS 144.103.

2 (5)(a) The Department of Corrections shall adopt rules to carry out the provisions of this sec-
3 tion.

4 (b) The rules adopted under this subsection shall include but are not limited to:

5 (A) Rules creating processes for early and ongoing notification of eligibility for an earned re-
6 duction in supervision under this section to persons on supervision; *[and]*

7 **(B) Rules requiring supervising officers to provide quarterly updates on progress toward**
8 **earning a reduction in supervision under this section to persons on supervision who are eli-**
9 **gible for the reduction; and**

10 *[(B)]* (C) Rules establishing consistent standards for determining when a person on supervision
11 is in compliance with the requirements for, and has succeeded in, earning a reduction in supervision
12 under this section.

13 (c) The supervisory authority shall comply with the rules adopted under this subsection.

14 (6) As used in this section:

15 (a) “Designated drug-related misdemeanor” has the meaning given that term in ORS 423.478.

16 (b) “Designated person misdemeanor” has the meaning given that term in ORS 423.478.

17 **SECTION 2.** Section 2, chapter 450, Oregon Laws 2021, is amended to read:

18 **Sec. 2.** The amendments to ORS 137.633 by section 1, *[of this 2021 Act]* **chapter 450, Oregon**
19 **Laws 2021**, apply to sentences imposed **before**, on or after *[the effective date of this 2021 Act]* **Jan-**
20 **uary 1, 2022.**

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