

SENATE AMENDMENTS TO SENATE BILL 1560

By COMMITTEE ON JUDICIARY

February 14

1 On page 1 of the printed bill, line 2, after “custody;” delete the rest of the line and delete line
2 3 and insert “and declaring an emergency.”.

3 Delete lines 5 through 15 and delete pages 2 through 14 and insert:

4 **“SECTION 1. (1) The Task Force on Compassionate Medical Release is established.**

5 **“(2) The task force consists of 23 members appointed as follows:**

6 **“(a) The President of the Senate shall appoint two members from among members of the**
7 **Senate.**

8 **“(b) The Speaker of the House of Representatives shall appoint two members from among**
9 **members of the House of Representatives.**

10 **“(c) The Governor shall appoint the following members:**

11 **“(A) The Corrections Ombudsman appointed under ORS 423.400.**

12 **“(B) One member representing the Department of Corrections.**

13 **“(C) One member representing the Department of Corrections Health Services program.**

14 **“(D) One member representing the Oregon Health Authority.**

15 **“(E) One member representing the Department of Justice.**

16 **“(F) Two members representing the State Board of Parole and Post-Prison Supervision,**
17 **one of whom is a member of the board.**

18 **“(G) One member representing community corrections agencies.**

19 **“(H) One member representing district attorneys.**

20 **“(I) One member representing either the Oregon Public Defense Commission or the**
21 **Oregon Criminal Defense Lawyers Association.**

22 **“(J) One member representing advocates for adults in custody.**

23 **“(K) Two members who are medical professionals not employed by the Department of**
24 **Corrections, one of whom has direct experience in providing corrections health services.**

25 **“(L) Two members who are crime survivor advocates, at least one of whom has direct**
26 **lived experience as a crime survivor.**

27 **“(M) Two members who are former adults in custody, or family members of adults in**
28 **custody, who received or assisted in providing medical care while in the custody of the De-**
29 **partment of Corrections.**

30 **“(N) One member with academic legal expertise in the corrections release process.**

31 **“(d) The Chief Justice of the Supreme Court shall appoint one member representing the**
32 **Judicial Department.**

33 **“(3) The task force shall:**

34 **“(a) Examine existing statutes authorizing early medical release from custody and iden-**
35 **tify any barriers that are impeding or delaying the process.**

1 “(b) Examine the criteria by which the board determines public risk when making med-
2 ical release decisions under current law.

3 “(c) Analyze medical release practices in other states and any recent changes to the
4 process in the federal prison system.

5 “(d) Review A-engrossed Senate Bill 520 (2023) to determine what modifications are
6 needed for future versions of the bill.

7 “(e) Determine whether the medical release process should draw distinctions between
8 those adults in custody who are terminally ill and near death and those who are not near
9 death but who are unable to perform activities of daily living independently.

10 “(f) Determine whether the medical release process should draw distinctions between
11 direct medical release referrals from the Department of Corrections and petitions for med-
12 ical release from adults in custody.

13 “(g) Determine the best process for assuring a quality care setting for adults in custody
14 who are granted medical release.

15 “(h) Determine the appropriate burden of proof in medical release decision-making.

16 “(i) Review the role of ORS 137.218 and the Governor’s executive clemency authority for
17 qualifying adults in custody serving mandatory minimum sentences.

18 “(j) Analyze the differences between medical leave and medical release.

19 “(k) Determine how and when to provide access to legal counsel for adults in custody
20 petitioning for medical release.

21 “(L) Calculate the current costs of providing medical care for adults in custody who are
22 terminally ill or severely incapacitated.

23 “(m) Calculate potential savings from reforming the current medical release program.

24 “(n) Determine the appropriate involvement of crime survivors on the medical release
25 process.

26 “(4) A majority of the voting members of the task force constitutes a quorum for the
27 transaction of business.

28 “(5) Official action by the task force requires the approval of a majority of the voting
29 members of the task force.

30 “(6) The task force shall elect one of its members to serve as chairperson.

31 “(7) If there is a vacancy for any cause, the appointing authority shall make an appoint-
32 ment to become immediately effective.

33 “(8) The task force shall meet at times and places specified by the call of the chairperson
34 or of a majority of the voting members of the task force.

35 “(9) The task force may adopt rules necessary for the operation of the task force.

36 “(10) The task force shall submit a report of the task force’s findings in the manner
37 provided by ORS 192.245, and shall include recommendations for legislation and improve-
38 ments to agency policies and procedures, to the interim committees of the Legislative As-
39 sembly related to the judiciary no later than December 31, 2024.

40 “(11) The Legislative Policy and Research Director shall provide staff support to the task
41 force.

42 “(12) Members of the Legislative Assembly appointed to the task force and the Cor-
43 rections Ombudsman are nonvoting members of the task force and may act in an advisory
44 capacity only.

45 “(13) Members of the task force who are not members of the Legislative Assembly are

1 not entitled to compensation or reimbursement for expenses and serve as volunteers on the
2 task force.

3 “(14) All agencies of state government, as defined in ORS 174.111, are directed to assist
4 the task force in the performance of the duties of the task force and, to the extent permitted
5 by laws relating to confidentiality, to furnish information and advice the members of the task
6 force consider necessary to perform their duties.

7 “SECTION 2. Section 1 of this 2024 Act is repealed on January 2, 2025.

8 “SECTION 3. This 2024 Act being necessary for the immediate preservation of the public
9 peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect
10 on its passage.”.

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