

HB 3069-1  
(LC 3407)  
4/29/25 (JLM/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY (at the request of Representative Jason Kropf)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3069**

1 In line 2 of the printed bill, after “safety” insert “; creating new pro-  
2 visions; amending ORS 3.450, 40.015, 131A.360, 131A.365, 135.973, 135.985,  
3 137.372, 137.532, 137.654, 137.656, 137.679, 137.680, 137.686, 137.717, 144.096,  
4 144.101, 144.106, 423.150, 430.230, 430.231, 430.233, 430.238, 430.243, 430.245 and  
5 475C.531 and sections 52 and 53, chapter 649, Oregon Laws 2013, sections 12  
6 and 13, chapter 673, Oregon Laws 2017, sections 37, 76, 77, 81, 82 and 87,  
7 chapter 70, Oregon Laws 2024, and section 1, chapter 80, Oregon Laws 2024;  
8 repealing ORS 430.234, 430.235, 430.236 and 475.934 and sections 8, 33, 38 and  
9 56, chapter 649, Oregon Laws 2013, sections 4, 5 and 7, chapter 98, Oregon  
10 Laws 2018, and sections 83, 84, 85 and 86, chapter 70, Oregon Laws 2024; and  
11 declaring an emergency”.

12 Delete lines 4 through 8 and insert:

13

14 **“OREGON PUBLIC SAFETY COORDINATION GRANT PROGRAM**

15

**“(General Provisions)**

16

17 **“SECTION 1. (1) The Oregon Public Safety Coordination Grant**  
18 **Program is established within the Oregon Criminal Justice Commis-**  
19 **sion to support the coordination of local public safety policy with the**  
20 **goal of reducing individuals’ involvement with the criminal justice**  
21 **system.**

1       **“(2) The Oregon Public Safety Coordination Grant Program consists**  
2 **of grants awarded to counties by the commission in the following**  
3 **program areas:**

4       **“(a) The Justice Reinvestment Program described in section 53,**  
5 **chapter 649, Oregon Laws 2013;**

6       **“(b) The Oregon Treatment Court Grant Program established under**  
7 **ORS 423.150;**

8       **“(c) The Oregon Behavioral Health Deflection Program established**  
9 **under section 76, chapter 70, Oregon Laws 2024;**

10       **“(d) The Restorative Justice Grant Program established under ORS**  
11 **137.679;**

12       **“(e) The Improving People’s Access to Community-based Treat-**  
13 **ment, Supports and Services Program established in ORS 430.231; and**

14       **“(f) Any other grant programs administered by the commission that**  
15 **provide funding consistent with the goals described in this section.**

16       **“(3) If any of the program areas described in subsection (2) of this**  
17 **section include eligible applicants other than counties:**

18       **“(a) Grants shall not be awarded to those entities using the proce-**  
19 **dures described in this section.**

20       **“(b) The commission shall, prior to releasing a solicitation for ap-**  
21 **plications under the Oregon Public Safety Coordination Grant Pro-**  
22 **gram, select the proportion of funds to be set aside for noncounty**  
23 **applicants.**

24       **“(4) An application for a grant under this section must:**

25       **“(a) Include a biennial public safety plan that describes each**  
26 **county’s approach to, and defining goals for, reducing individuals’ in-**  
27 **volvement with the criminal justice system;**

28       **“(b) Include a list of budget allocations that indicates how state and**  
29 **other funds are used to sustain the biennial public safety plan;**

30       **“(c) Indicate each program area listed in subsection (2)(a) to (f) of**

1 **this section for which a county is seeking funding; and**

2 **“(d) Include a description of how each selected program area is in-**  
3 **corporated in the county’s biennial public safety plan and administered**  
4 **in accordance with standards and best practices.**

5 **“(5) Grants awarded under this section must be used to support lo-**  
6 **cal programming that adheres to a recipient’s biennial public safety**  
7 **plan and to standards or best practices established for any selected**  
8 **program area listed in subsection (2)(a) to (f) of this section.**

9 **“(6) During a grant application period established by the commis-**  
10 **sion, the proportion of grant funds available to each county shall be**  
11 **determined in accordance with the statutory requirements for each**  
12 **program area listed in subsection (2)(a) to (f) of this section.**

13 **“(7)(a) The commission shall adopt rules to administer the Oregon**  
14 **Public Safety Coordination Grant Program. The rules may include:**

15 **“(A) A methodology for reviewing and approving grant applications**  
16 **and awarding grants;**

17 **“(B) Provisions allowing the commission to approve provisional**  
18 **funding plans for counties applying for grants under this section;**

19 **“(C) Provisions allowing the commission to establish supplemental**  
20 **grant periods to distribute any unallocated funds;**

21 **“(D) Provisions allowing the commission to establish methods for**  
22 **evaluating program efficacy;**

23 **“(E) Provisions related to requests by grant recipients to adjust**  
24 **their grant awards; and**

25 **“(F) Provisions related to partnerships or collaborations between**  
26 **counties.**

27 **“(b) For grants in program areas listed in subsection (2)(a) to (f)**  
28 **of this section for which entities other than counties may apply, any**  
29 **rules adopted by the commission pursuant to the statute establishing**  
30 **the specific program area shall govern the grant application and award**

1 process for noncounty applicants. For county applicants, the rules  
2 adopted pursuant to this section shall govern the grant application and  
3 award process.

4 “(8) Counties may request up to three percent of program funds for  
5 administrative costs.

6 “(9)(a) At the conclusion of the grant application period, the com-  
7 mission shall award Oregon Public Safety Coordination Grant Program  
8 funds in accordance with rules adopted by the commission.

9 “(b) Within one year of awarding grant funds, the commission shall  
10 evaluate each recipient’s progress related to the biennial public safety  
11 plan and defined goals therein and communicate the results of these  
12 evaluations to the recipients.

13 “(c) Before the conclusion of a two-year biennial grant cycle, the  
14 commission shall engage in a final performance evaluation of  
15 grantees.

16 “(d) Counties that have demonstrated adherence to their public  
17 safety plan, met or exceeded defined public safety plan goals and  
18 avoided state costs related to public safety, as measured by a final  
19 performance evaluation completed by the commission, shall be eligible  
20 to receive supplemental funding from the Oregon Public Safety Fund  
21 established under section 4 of this 2025 Act as follows:

22 “(A) The proportion of funds available to a county from the Oregon  
23 Public Safety Fund shall be determined in accordance with the for-  
24 mula used to distribute baseline funding under ORS 423.483.

25 “(B) If fewer than 36 counties qualify for the receipt of supple-  
26 mental funding from the Oregon Public Safety Fund, the funds that  
27 remain shall be redistributed to qualifying counties.

28 “(10) As used in this section, ‘administrative costs’ means all costs  
29 incurred throughout the administration of the Oregon Public Safety  
30 Coordination Grant Program that are not directly related to the de-

1 **livery of program services or projects.**

2  
3 **“(Justice Reinvestment Program)”**

4  
5 **“SECTION 2.** Section 52, chapter 649, Oregon Laws 2013, is amended to  
6 read:

7 **“Sec. 52.** The Justice Reinvestment Account is established, separate and  
8 distinct from the General Fund. All moneys in the account are continuously  
9 appropriated to the Oregon Criminal Justice Commission for the purpose of  
10 *[making grants to counties in accordance with section 53 of this 2013 Act]*  
11 **carrying out the provisions of section 53, chapter 649, Oregon Laws**  
12 **2013.**

13 **“SECTION 3.** Section 53, chapter 649, Oregon Laws 2013, as amended by  
14 section 54, chapter 649, Oregon Laws 2013, section 1, chapter 598, Oregon  
15 Laws 2019, and section 18, chapter 78, Oregon Laws 2022, is amended to read:

16 **“Sec. 53.** (1)(a) *[In consultation with the Justice Reinvestment Grant Re-*  
17 *view Committee established under subsection (2) of this section,]* The Oregon  
18 Criminal Justice Commission shall administer the Justice Reinvestment  
19 Program described in this section. *[From funds appropriated to the commis-*  
20 *sion for purposes of the program, the commission shall]* **to** award grants to  
21 counties that establish a process to assess *[offenders]* **individuals involved**  
22 **in the criminal justice system** and provide a continuum of community-  
23 based sanctions, services and programs that are designed to reduce  
24 recidivism and decrease the county’s utilization of imprisonment in a De-  
25 partment of Corrections institution while protecting public safety and hold-  
26 ing *[offenders]* **such individuals** accountable.

27 **“(b) As part of the program described in this section, the commis-**  
28 **sion shall additionally make grants to counties in order to provide**  
29 **supplemental funding for:**

30 **“(A) The operation of local jails;**

1       **“(B) Appropriate treatment services for drug-addicted persons on**  
2 **probation, parole or post-prison supervision; or**

3       **“(C) The intensive supervision of drug-addicted persons on pro-**  
4 **bation, parole or post-prison supervision, including the incarceration**  
5 **of drug-addicted persons who have violated the terms and conditions**  
6 **of probation, parole or post-prison supervision.**

7       **“(c) The commission shall further establish a program to award**  
8 **supplemental grant funds to counties for downward departure prison**  
9 **diversion programs as part of the program described in this section.**  
10 **The commission shall use any moneys appropriated to the commission**  
11 **for the supplemental grant program, including any moneys appropri-**  
12 **ated to or deposited in the Oregon Public Safety Fund established un-**  
13 **der section 4 of this 2025 Act, to award supplemental grant funds for**  
14 **downward departure prison diversion programs to counties selected by**  
15 **the commission to receive the funds.**

16       **“(2) Funding available to the Justice Reinvestment Program, in-**  
17 **cluding funds described in subsection (1)(b) and (c) of this section,**  
18 **shall be apportioned in the following order:**

19       **“[(b)] (a) [Notwithstanding paragraph (a) of this subsection,] No less than**  
20 **10 percent of grant funds awarded under this section must be distributed to**  
21 **community-based nonprofit organizations that provide services to victims of**  
22 **crime, with priority given to culturally specific organizations and culturally**  
23 **responsive services.**

24       **“(b) No less than 15 percent of grant funds shall be retained by the**  
25 **commission for the purpose of funding local public safety priorities**  
26 **and awarded to grantees who meet the goals described in section 1 (9)**  
27 **of this 2025 Act.**

28       **“(c) Remaining funds shall be apportioned in accordance with the**  
29 **formula used to distribute baseline funding under ORS 423.483.**

30       **“(d) The commission may allocate up to three percent of program**

1 **funds to support analysis or evaluation of outcome measures related**  
2 **to public safety in this state.**

3 *“(2) The Justice Reinvestment Grant Review Committee is established,*  
4 *consisting of the following members:]*

5 *“(a) The Governor shall appoint the following seven members:]*

6 *“(A) One member shall be a district attorney.]*

7 *“(B) One member shall be a county sheriff.]*

8 *“(C) One member shall be a chief of police.]*

9 *“(D) One member shall be a county commissioner.]*

10 *“(E) One member shall be a community corrections director who is not a*  
11 *sheriff.]*

12 *“(F) Two members shall be representatives of community-based organiza-*  
13 *tions that provide services for underserved racial, ethnic or minority commu-*  
14 *nities.]*

15 *“(b) The Chief Justice of the Supreme Court shall appoint one nonvoting*  
16 *member who is a judge.]*

17 *“(c) The President of the Senate shall appoint two nonvoting members from*  
18 *among members of the Senate.]*

19 *“(d) The Speaker of the House of Representatives shall appoint two non-*  
20 *voting members from among members of the House of Representatives.]*

21 *“(3)(a) A majority of the voting members of the committee constitutes a*  
22 *quorum for the transaction of business.]*

23 *“(b) The committee shall elect one of its members to serve as*  
24 *chairperson.]*

25 *“(c) If there is a vacancy for any cause, the appointing authority shall*  
26 *make an appointment to become effective immediately.]*

27 *“(d) The committee shall meet at times and places specified by the call of*  
28 *the chairperson or a majority of the voting members of the committee.]*

29 *“(e) Legislative members of the committee shall be entitled to payment of*  
30 *compensation and expenses under ORS 171.072, payable from funds appropri-*

1 *ated to the Legislative Assembly.]*

2 “[(4)(a) *An application for a grant described in this section must be sub-*  
3 *mitted by a local public safety coordinating council convened under ORS*  
4 *423.560.]*

5 “[(b) *The grant application must include a statement of commitment, from*  
6 *the relevant stakeholders of the service or program for which the county is re-*  
7 *questing funding and including the district attorney, presiding judge and*  
8 *community corrections director, to reduce recidivism and decrease the county’s*  
9 *utilization of imprisonment in Department of Corrections facilities while pro-*  
10 *tecting public safety and holding offenders accountable.]*

11 “[(5)(a) *During a grant application period established by the commission,*  
12 *the proportion of grant funds available to each county shall be determined in*  
13 *accordance with the formula used to distribute baseline funding under ORS*  
14 *423.483.]*

15 “[*(b)*] **(3)** At the conclusion of the grant application period, the commis-  
16 sion shall award grants in accordance with rules adopted by the commission.  
17 If unallocated funds remain at the conclusion of the grant acceptance period,  
18 the commission may establish a supplemental grant period and distribute the  
19 unallocated funds.

20 “[*(6)(a)*] **(4)(a)** The commission shall regularly evaluate the community-  
21 based sanctions, services and programs funded under this section. The com-  
22 mission shall specifically assess the extent to which each county is reducing  
23 utilization of imprisonment in Department of Corrections facilities by  
24 offenders convicted of felonies under ORS 137.717, 475.752 to 475.980, 811.182,  
25 813.010 or 813.011.

26 “(b) The commission shall [*report*] **make** the results of an evaluation  
27 conducted under this section [*to a committee of the Legislative Assembly re-*  
28 *lated to the judiciary*] **available to the public in a clear and accessible**  
29 **format, either in a report or on the website of the commission.**

30 “**(5) As used in this section:**



1       “(a) ‘Drug-addicted person’ has the meaning given that term in  
2       **ORS 423.150.**

3       “(b) ‘Intensive supervision’ means the active monitoring of a  
4       **person’s performance in a treatment program by a parole and pro-**  
5       **bation officer and the imposition of sanctions, or request to a court**  
6       **for sanctions, if the person fails to abide by the terms and conditions**  
7       **of the treatment program.**

8       “[(7)(a) *Before applying for grant funds to administer a community-based*  
9       *program described in subsection (10)(a)(D) of this section, the county must*  
10       *obtain the consent of the presiding judge of the judicial district in which the*  
11       *county is located.*]

12       “[(b) *A grant application to administer a community-based program de-*  
13       *scribed in subsection (10)(a)(D) of this section must include the costs of ap-*  
14       *pointed counsel.*]

15       “[(8) *After consulting with the Justice Reinvestment Grant Review Com-*  
16       *mittee, the commission shall adopt rules to administer the Justice Reinvest-*  
17       *ment Program. The rules must include:*]

18       “[(a) *A methodology for reviewing and approving grant applications and*  
19       *distributing grant funds. Rules described in this paragraph must provide the*  
20       *Justice Reinvestment Grant Review Committee with the ability to approve*  
21       *grant applications for submission for final approval by the commission. The*  
22       *commission may either approve the grant application or return the application*  
23       *for reconsideration by the committee.*]

24       “[(b) *A process for evaluating the efficacy of community-based sanctions,*  
25       *services and programs funded under this section.*]

26       “[(c) *A requirement that the grant review committee consider, when ap-*  
27       *proving grant applications, each county’s historical reduction of utilization of*  
28       *imprisonment in Department of Corrections facilities by offenders convicted of*  
29       *felonies under ORS 137.717, 475.752 to 475.980, 811.182, 813.010 or 813.011.*]

30       “[(d) *Provisions allowing the grant review committee to submit to the com-*

1 *mission, and the commission to approve, provisional funding plans for counties*  
2 *applying for grants under this section.]*

3 “[(9)(a) *If a county does not reduce utilization of imprisonment in Depart-*  
4 *ment of Corrections facilities by offenders convicted of felonies under ORS*  
5 *137.717, 475.752 to 475.980, 811.182, 813.010 or 813.011, upon request of the*  
6 *grant review committee, the commission shall decline to grant the full grant*  
7 *amount requested by a county, provide technical assistance, withhold approved*  
8 *grant funds or terminate further distribution of the grant award.]*

9 “[(b) *If the commission takes an action described in paragraph (a) of this*  
10 *subsection, any remaining moneys may be redistributed by the commission*  
11 *through a supplemental grant program. Priority shall be given to counties*  
12 *funding programs for historically underserved communities including rural*  
13 *communities, racial, ethnic and minority communities and tribal communities.*  
14 *Rural counties may apply for supplemental grants in cooperation with other*  
15 *rural counties.]*

16 “[10) *As used in this section:]*

17 “[a) ‘Community-based program’ includes:]

18 “[A) *Work release programs;*]

19 “[B) *Structured, transitional leave programs;*]

20 “[C) *Evidence-based programs designed to reduce recidivism that include*  
21 *the balanced administration of sanctions, supervision and treatment;*]

22 “[D) *Administering a reentry court under section 29, chapter 649, Oregon*  
23 *Laws 2013; and]*

24 “[E) *Specialty courts aimed at medium-risk and high-risk offenders.]*

25 “[b) ‘County’ includes a regional collection of counties.]

26 “[c) ‘Culturally responsive service’ means a service that is respectful of,  
27 *and relevant to, the beliefs, practices, cultures and linguistic needs of diverse*  
28 *consumer or client populations and communities whose members identify as*  
29 *having particular cultural or linguistic affiliations by virtue of their place of*  
30 *birth, ancestry or ethnic origin, religion, preferred language or language spo-*

1 *ken at home. A culturally responsive service has the capacity to respond to the*  
2 *issues of diverse communities and require knowledge and capacity at systemic,*  
3 *organizational, professional and individual levels of intervention.]*

4 *“(d) ‘Culturally specific organization’ means an organization, or a program*  
5 *within an organization, that serves a particular cultural community, that is*  
6 *primarily staffed and led by members of that community and that demonstrates*  
7 *self-advocacy, positive cultural identity and intimate knowledge of the lived*  
8 *experience of the community, including but not limited to:]*

9 *“(A) The impact of structural and individual racism or discrimination on*  
10 *the community;]*

11 *“(B) Specific disparities in access to services and resources experienced by*  
12 *the community; and]*

13 *“(C) Community strengths, cultural practices, beliefs and traditions.]*

14 **“SECTION 4. The Oregon Public Safety Fund is established in the**  
15 **State Treasury, separate and distinct from the General Fund. All**  
16 **moneys in the fund are continuously appropriated to the Oregon**  
17 **Criminal Justice Commission for the purpose of carrying out the pro-**  
18 **visions of section 53 (1)(c), chapter 649, Oregon Laws 2013.**

19 **“SECTION 5. Section 56, chapter 649, Oregon Laws 2013, as amended**  
20 **by section 19, chapter 78, Oregon Laws 2022, and section 1, chapter 572,**  
21 **Oregon Laws 2023, is repealed.**

22 **“SECTION 6. (1) Sections 4 and 5, chapter 98, Oregon Laws 2018, are**  
23 **repealed.**

24 **“(2) Section 7, chapter 98, Oregon Laws 2018, as amended by section**  
25 **21, chapter 78, Oregon Laws 2022, and section 2, chapter 572, Oregon**  
26 **Laws 2023, is repealed.**

27 **“SECTION 7. Any funds appropriated to the Oregon Criminal Jus-**  
28 **tice Commission for the supplemental grant program described in**  
29 **section 5, chapter 98, Oregon Laws 2018, that are remaining on July**  
30 **1, 2026, shall be deposited in the Oregon Public Safety Fund established**

1 **under section 4 of this 2025 Act.**

2  
3 **“(Oregon Behavioral Health Deflection Program)”**

4  
5 **“SECTION 8.** Section 76, chapter 70, Oregon Laws 2024, is amended to  
6 read:

7 **“Sec. 76.** (1) As used in this section, ‘deflection program’ means a  
8 collaborative program between law enforcement agencies and behavioral  
9 health entities **or community-based social service organizations** that as-  
10 sists individuals who may have substance use disorder, another behavioral  
11 health disorder or co-occurring disorders, **and who often have other ser-**  
12 **vice needs,** to create community-based pathways to treatment, recovery  
13 support services, housing, case management or other services.

14 **“(2)** The Oregon Behavioral Health Deflection Program is established  
15 within the [*Improving People’s Access to Community-based Treatment, Sup-*  
16 *ports and Services Grant Review Committee established under ORS 430.234*]  
17 **Oregon Criminal Justice Commission.** The program consists of grants  
18 awarded by the [*committee*] **commission** to counties and federally recognized  
19 tribal governments to fund deflection programs.

20 **“[(3)(a)] (3)** The purpose of the program described in this section is to:

21 **“[(A)] (a)** Address the need for more deflection programs to assist indi-  
22 viduals whose behavioral health conditions, including substance use disorder,  
23 lead to interactions with law enforcement, incarceration, conviction and  
24 other engagement with the criminal justice system.

25 **“[(B)] (b)** Track and report data concerning deflection program outcomes  
26 in order to determine the best practices for deflection programs within this  
27 state.

28 **“[(b) ORS 430.230 to 430.236 do not apply to the program described in this**  
29 **section.]”**

30 **“(4)(a)** The [*committee*] **commission** shall develop a grant application

1 process for awarding grants under this section.

2 “(b) An application for a grant under this section may be submitted by a  
3 county or the designee of a county, or by a tribal government or designee  
4 of a tribal government. Only one application per county may be submitted,  
5 but the application may request funding multiple programs within a county.

6 “(c) Prior to submitting an application for a grant under this section,  
7 *[the]* **a county** applicant shall coordinate with all partners of the develop-  
8 ment and administration of the proposed deflection program to ensure that  
9 the partners have the resources necessary to implement the deflection pro-  
10 gram. The partners shall include at least a district attorney, a law enforce-  
11 ment agency, a community mental health program established under ORS  
12 430.620 and a provider from a Behavioral Health Resource Network estab-  
13 lished under ORS 430.389. Partners may also include a treatment provider,  
14 a local mental health authority, a tribal government, a peer support organ-  
15 ization, a court or a local government body.

16 “(d) An application for a grant under this section must contain:

17 “(A) A description of the coordination with program partners required by  
18 paragraph (c) of this subsection that has occurred;

19 “(B) A description of the individuals who would be eligible for the pro-  
20 gram and what qualifies as a successful outcome, formulated in cooperation  
21 with the program partners described in paragraph (c) of this subsection;

22 “(C) A description of how the program for which the applicant is seeking  
23 funding is culturally and linguistically responsive, trauma-informed and  
24 evidence-based;

25 “(D) A description of a plan to address language access barriers when  
26 communicating program referral options and program procedures to non-  
27 English speaking individuals; and

28 “(E) A description of how the program coordinator will communicate with  
29 program partners concerning persons participating in the program and any  
30 other matter necessary for the administration of the program.

1 “(5) To be eligible for funding under this section, a deflection program:

2 “(a) Must be coordinated by or in consultation with a community mental  
3 health program, a local mental health authority or a federally recognized  
4 tribal government;

5 “(b) Must have a coordinator with the following program coordinator  
6 duties:

7 “(A) Convening deflection program partners as needed for the operation  
8 of the program;

9 “(B) Managing grant program funds awarded under this section; and

10 “(C) Tracking and reporting data required by the [*Oregon Criminal Jus-*  
11 *tice*] commission under section 37, [*of this 2024 Act*] **chapter 70, Oregon**  
12 **Laws 2024;**

13 “(c) Must involve the partners described in subsection (4)(c) of this sec-  
14 tion; and

15 “(d) May involve a partnership with one or more of the following entities:

16 “(A) A first responder agency other than a law enforcement agency;

17 “(B) A community provider;

18 “(C) A treatment provider;

19 “(D) A community-based organization;

20 “(E) A case management provider;

21 “(F) A recovery support services provider; or

22 “(G) Any other individual or entity deemed necessary by the program co-  
23 ordinator to carry out the purposes of the deflection program, including in-  
24 dividuals with lived experience with substance use disorder, a behavioral  
25 health disorder or co-occurring disorders.

26 “(6) During a grant application period established by the [*committee*]  
27 **commission**, the maximum proportion of grant funds available to an appli-  
28 cant shall be determined as follows:

29 “(a) The proportion of grant funds available to an applicant other than  
30 a tribal government shall be determined based on the county formula share

1 employed by the Oversight and Accountability Council established under  
2 ORS 430.388, but an applicant may not receive less than \$150,000.

3 “(b) The [committee] **commission** shall determine the proportion of funds  
4 available to an applicant that is a federally recognized tribal government.

5 “(7)(a) Grant funds awarded under this section may be used for:

6 “(A) Deflection program expenses including but not limited to law  
7 enforcement employees, deputy district attorneys and behavioral health  
8 treatment workers, including peer navigators and mobile crisis and support  
9 services workers.

10 “(B) Behavioral health workforce development.

11 “(C) Capital construction of behavioral health treatment infrastructure.

12 “(b) Notwithstanding paragraph (a) of this subsection, the [committee]  
13 **commission** may award planning grants for the development of deflection  
14 programs.

15 “(c) The [committee] **commission** may allocate up to three percent of  
16 program funds to support grantee data collection and analysis or evaluation  
17 of outcome measures.

18 “(8) The Oregon Criminal Justice Commission shall provide staff support  
19 to the grant program.

20 “(9) [The committee and] The commission may adopt rules to carry out the  
21 provisions of this section.

22 “**SECTION 9.** Section 77, chapter 70, Oregon Laws 2024, is amended to  
23 read:

24 “**Sec. 77.** [(1)(a)] (1) The [Improving People’s Access to Community-based  
25 Treatment, Supports and Services Grant Review Committee established under  
26 ORS 430.234, in cooperation with the] Oregon Criminal Justice Commission  
27 [and the Oregon Health Authority,] shall monitor the progress of and evalu-  
28 ate program outcomes for applicants that receive grant funds as part of the  
29 Oregon Behavioral Health Deflection Program established under section 76,  
30 [of this 2024 Act] **chapter 70, Oregon Laws 2024.**

1        “[*b*] *The committee shall share with the commission any data described in*  
2 *paragraph (a) of this subsection that the commission requires to carry out the*  
3 *commission’s duties under section 37 of this 2024 Act.*]

4        “(2) Beginning no later than September 30, 2025, the [*committee*] **com-**  
5 **mission** shall annually report, in the manner described in ORS 192.245 [*and*  
6 *in conjunction with the report required under ORS 430.245 (3)*], the findings  
7 of the evaluation described in subsection (1) of this section to the relevant  
8 interim committees of the Legislative Assembly.

9        “**SECTION 9a.** Section 37, chapter 70, Oregon Laws 2024, is amended to  
10 read:

11        “**Sec. 37.** (1) The Oregon Criminal Justice Commission shall establish a  
12 statewide system for tracking simple, clear and meaningful data concerning  
13 deflection program outcomes, including connections to social services and  
14 criminal justice system avoidance, and other data deemed relevant that is  
15 timely and easily accessed to inform best practices and improve outcomes for  
16 individual program participants.

17        “(2)[*a*] *No later than 12 months after the effective date of this 2024 Act, the*  
18 *commission shall conduct a study to determine best practices for deflection*  
19 *programs and make recommendations for funding of the Oregon Behavioral*  
20 *Health Deflection Program described in section 76 of this 2024 Act. In making*  
21 *the recommendations described in this paragraph, the commission shall con-*  
22 *sider the best available information and projections regarding deflection pro-*  
23 *grams in this state.*]

24        “[*b*] No later than 18 months after [*the effective date of this 2024 Act*]  
25 **April 1, 2024**, the commission shall develop standards and best practices for  
26 deflection programs in this state based on information received from the  
27 programs and pursuant to sections 76 and 77, [*of this 2024 Act*] **chapter 70,**  
28 **Oregon Laws 2024.**

29        “(3) The commission shall maintain a list of deflection programs operating  
30 within this state, and shall make the list publicly available on the website



1 of the commission.

2 “(4) As used in this section, ‘deflection program’ means a collaborative  
3 program between law enforcement agencies and behavioral health entities  
4 **or community-based social service organizations** that assists individuals  
5 who may have substance use disorder, another behavioral health disorder or  
6 co-occurring disorders, **and who often have other service needs**, to create  
7 community-based pathways to treatment, recovery support services, housing,  
8 case management or other services.

9

10 **“(Restorative Justice Grant Program)”**

11

12 **“SECTION 10.** ORS 137.679 is amended to read:

13 “137.679. (1) The Oregon Criminal Justice Commission shall establish [*a*  
14 *program*] **the Restorative Justice Grant Program** to award grants to  
15 public and private entities for restorative justice programs.

16 “(2) The commission shall adopt rules to administer the grant program  
17 described in subsection (1) of this section. The rules must:

18 “(a) Define restorative justice for the purpose of grant eligibility criteria.

19 “(b) Specify the application process and eligibility criteria for the grant  
20 program, including a requirement that:

21 “(A) Each applicant demonstrate in the application coordination with  
22 community-based organizations and the ability to work collaboratively with  
23 system partners, including local law enforcement entities, courts, district  
24 attorneys and defense attorneys.

25 “(B) Each successful applicant demonstrate in the application how the  
26 applicant will center the experiences of those harmed, encourage those who  
27 have caused harm to take responsibility and repair the harm, and support  
28 persons who have been harmed, impacted community members and responsi-  
29 ble parties in identifying solutions that promote healing, including promot-  
30 ing dialogue and mutual agreement.

1 “(c) Include a methodology for reviewing and approving grant applica-  
2 tions and distributing grant funds.

3 “(3) The commission shall convene an advisory committee to evaluate and  
4 approve grant awards under this section.

5 **“SECTION 11. The Restorative Justice Grant Program Account is**  
6 **established in the State Treasury, separate and distinct from the**  
7 **General Fund. All moneys in the account are continuously appropri-**  
8 **ated to the Oregon Criminal Justice Commission for the purpose of**  
9 **carrying out the provisions of ORS 137.679.**

10

11

**“(IMPACTS Program)”**

12

13 **“SECTION 12. ORS 430.231 is amended to read:**

14 “430.231. (1) The Improving People’s Access to Community-based Treat-  
15 ment, Supports and Services Program is established in recognition of the  
16 shortage of comprehensive community supports and services for individuals  
17 with mental health or substance use disorders, leading to their involvement  
18 with the criminal justice system, hospitalizations and institutional place-  
19 ments. The purpose of the program is to address this need by awarding  
20 grants to counties and Oregon’s federally recognized Indian tribes to estab-  
21 lish evidence-based and tribal-based programs to provide the needed supports  
22 and services.

23 “(2) The [*Improving People’s Access to Community-based Treatment, Sup-*  
24 *ports and Services Grant Review Committee established in ORS 430.234*]  
25 **Oregon Criminal Justice Commission** shall adopt rules for administering  
26 the program, including rules:

27 “(a) Identifying the target population of people with frequent criminal  
28 justice involvement and behavioral health conditions to be served by the  
29 programs funded with the grants;

30 “(b) Prescribing a methodology for the [*committee*] **commission** to review

1 and approve grant applications;

2 “(c) Establishing program or service outcome measures;

3 “(d) Establishing criteria for allowing a grantee to use a grant or a por-  
4 tion of a grant to:

5 “(A) Expand the workforce of providers of mental health or substance  
6 abuse services in the community; or

7 “(B) Provide permanent, supportive housing for individuals with mental  
8 health or substance use disorders; and

9 “(e) Allowing the [committee] **commission** to terminate an agreement  
10 with an entity that fails to meet the grant requirements or has been found  
11 to have misused funds or committed fraud. The ability to meet the grant re-  
12 quirements may be a consideration in future funding or the amount of fund-  
13 ing.

14 “(3) The [committee] **commission** shall allocate funds in the Improving  
15 People’s Access to Community-based Treatment, Supports and Services Ac-  
16 count established in ORS 430.233 to grantees. The funds may not be used for  
17 a purpose other than the programs providing supports and services for which  
18 the grants were awarded.

19 “(4) **The commission shall designate a percentage of the funds to**  
20 **be set aside and awarded to at least one federally recognized Indian**  
21 **tribe.**

22 “[4] (5) If unallocated funds remain at the conclusion of the grant ac-  
23 ceptance period, the [committee] **commission** may establish a supplemental  
24 grant period and distribute the unallocated funds to the counties or Oregon’s  
25 federally recognized Indian tribes that received grants.

26 “[5] (6) Up to 20 percent of the funds in the account may be used for  
27 operating a statewide program to support the design and implementation of  
28 community-based services, including but not limited to:

29 “(a) Technical assistance to prospective grantees in developing proposals,  
30 particularly for developing proposals for supportive housing;

1 “(b) Technical assistance to grantees for troubleshooting data collection  
2 requirements and sharing information with third parties as necessary for  
3 carrying out the programs;

4 “(c) Statewide training, provided in-person and remotely, for grantees and  
5 nongrantees, focused on improving outcomes for the target population;

6 “(d) Making resources available to district attorneys and defense attor-  
7 neys for consultation on cases involving defendants with complex behavioral  
8 health issues;

9 “(e) Developing or strengthening a centralized system to make available  
10 to communities practitioners in professional specialties for which there is a  
11 shortage, including practitioners of addiction medicine and psychiatry; and

12 “(f) [*A one-time investment in*] **Creating or operating** information tech-  
13 nology **systems** to support the data system needs for the evaluation, ac-  
14 countability and innovation components of the program.

15 “[*(6)(a)*] **(7)(a)** The [*committee*] **commission** shall procure and enter into  
16 contracts for goods, services and personal services related to the creation,  
17 operation, maintenance and management of information technology systems  
18 for the purpose of carrying out this section.

19 “(b) The [*committee shall*] **commission may** procure and enter into con-  
20 tracts for goods, services and personal services related to designing, devel-  
21 oping, conducting, performing and completing research, review, audits,  
22 statistical analyses, investigations, studies, reports and evaluations for the  
23 purpose of carrying out this section.

24 “[*(7)*] **(8)** Three percent of the funds in the account must be used to sup-  
25 port outcome measures, evaluation or both.

26 “[*(8)*] **(9)** An application for a grant must be submitted by [*the*] **a** federally  
27 recognized Indian tribe or [*the local public safety coordinating council on be-*  
28 *half of the*] **a** county and:

29 “(a) Must include:

30 “[*(A) Letters of support and commitments from community leaders or or-*

1 *ganizations that are not members of the local public safety coordinating coun-*  
2 *cil, including but not limited to:]*

3 “[*i*) *Agencies working with homeless individuals;*]

4 “[*ii*) *Behavioral health care providers;*]

5 “[*iii*) *Coordinated care organizations; and*]

6 “[*iv*) *Local hospitals.*]

7 “[*B*)] **(A)** For applications from counties, a report of the input from the  
8 local federally recognized Indian tribes and, to the extent feasible, an ex-  
9 planation of how the input was incorporated into the design of the program,  
10 supports and services.

11 “[*C*)] **(B)** For applications from federally recognized Indian tribes, a re-  
12 port of the input from the local public safety coordinating council and, to  
13 the extent feasible, an explanation of how the input was incorporated into  
14 the design of the program, supports and services.

15 “[*D*)] **(C)** An agreement to screen all participants receiving supports and  
16 services funded by the grants for potential eligibility for medical assistance  
17 and to assist eligible participants to apply for medical assistance, including  
18 an agreement for a process for sharing data and protecting the  
19 confidentiality of recipients among the program participants.

20 “[*E*)] **(D)** A process for program partners, participating jails and hospi-  
21 tals to:

22 “(i) Provide information upon admission or at intake about the potential  
23 risks and benefits of tribal notification; and

24 “(ii) Offer tribal members the opportunity to disclose their statuses and  
25 situations to the federally recognized Indian tribe of their choosing.

26 “(b) May include a request to have more flexibility in using existing state  
27 funding to provide supports and services that address the need described in  
28 subsection (1) of this section.

29 “**(c) May include letters of support and commitments from com-**  
30 **munity leaders or organizations, including but not limited to:**

1       “(A) Agencies working with homeless individuals;

2       “(B) Behavioral health care providers;

3       “(C) Coordinated care organizations; and

4       “(D) Local hospitals.

5       “[(9)] (10) [Annually,] Grantees shall report to the [committee and to the  
6 Oregon Health Authority the medical assistance enrollment data in addition  
7 to other] **commission on** outcome measures or evaluation metrics collected  
8 as part of the grant for participants receiving supports and services provided  
9 with funds from the grants.

10       “(11) Data reported by grantees under this section shall be used only  
11 for statistical purposes and not for any other purpose. Data reports  
12 may not contain information that reveals the identity of any individ-  
13 ual. Data collected by grantees or government agencies or held by the  
14 commission under this section that may reveal the identity of any in-  
15 dividual is exempt from public disclosure in any manner.

16       “**SECTION 13.** ORS 430.233 is amended to read:

17       “430.233. The Improving People’s Access to Community-based Treatment,  
18 Supports and Services Account is established in the State Treasury, separate  
19 and distinct from the General Fund. All moneys in the account are contin-  
20 uously appropriated to the [Improving People’s Access to Community-based  
21 Treatment, Supports and Services Grant Review Committee] **Oregon Criminal  
22 Justice Commission** for the purpose of carrying out ORS 430.231.

23       “**SECTION 14.** ORS 430.238 is amended to read:

24       “430.238. (1) The [Improving People’s Access to Community-based Treat-  
25 ment, Supports and Services Grant Review Committee established in ORS  
26 430.234] **Oregon Criminal Justice Commission** shall administer a program  
27 in which Oregon counties, Oregon’s federally recognized Indian tribes or re-  
28 gional consortia of counties or Indian tribes may apply to the [committee]  
29 **commission** for state funds for the investments made by the counties, Indian  
30 tribes or consortia in comprehensive community supports and services for the

1 target population of the Improving People’s Access to Community-based  
2 Treatment, Supports and Services Program, for the purpose of enhancing or  
3 sustaining the supports and services.

4 “(2) The [*committee shall*] **commission may** establish priorities for the  
5 funds based on **results from outcome measures or evaluation tools or**  
6 specified factors such as the size of the population of a county, the utiliza-  
7 tion of the Oregon State Hospital by the residents of the county and the  
8 availability of permanent, supportive housing units.

9 “(3) The [*committee*] **commission** may provide enhanced funds to encour-  
10 age regional program projects.

11 “(4) The local investments matched by state funds may not be used to  
12 supplant existing sources of funding that could be used to provide supports  
13 and services to the target population, including but not limited to:

14 “(a) Medical assistance funding;

15 “(b) Federal grants;

16 “(c) Local funding;

17 “(d) State grants or other state funding; or

18 “(e) Other third-party sources of funding to reimburse the cost of the  
19 supports and services.

20 “(5) The county, tribal or regional investment used to leverage a state  
21 match may include:

22 “(a) County government or tribal funds.

23 “(b) Financial commitments by entities other than counties or Oregon’s  
24 federally recognized tribes that are specifically designated for providing Im-  
25 proving People’s Access to Community-based Treatment, Supports and Ser-  
26 vices Program supports and services.

27 “(c) The value of newly dedicated or donated real estate or other tangible  
28 property, including but not limited to:

29 “(A) Land;

30 “(B) Buildings;

1 “(C) Remodeling costs that address the needs identified by the Improving  
2 People’s Access to Community-based Treatment, Supports and Services Pro-  
3 gram;

4 “(D) Donated program space;

5 “(E) Vehicles; or

6 “(F) Interest on loans specific to housing, treatment facilities or related  
7 construction for the target population.

8 **“SECTION 15.** ORS 430.243 is amended to read:

9 “430.243. The [*Improving People’s Access to Community-based Treatment,*  
10 *Supports and Services Grant Review Committee established in ORS 430.234*]  
11 **Oregon Criminal Justice Commission** and the Oregon Health Authority  
12 may work together to include coordinated care organizations in the Improv-  
13 ing People’s Access to Community-based Treatment, Supports and Services  
14 Program, as permitted by state and federal law, in a way that provides in-  
15 centives for coordinated care organizations to provide comprehensive com-  
16 munity supports and services, as defined in ORS 430.230, to their members  
17 who have mental health or substance use disorders and be appropriately re-  
18 imburged for the costs of the supports and services.

19 **“SECTION 16.** ORS 430.245 is amended to read:

20 “430.245. [(1) *At least once per biennium, the Improving People’s Access to*  
21 *Community-based Treatment, Supports and Services Grant Review Committee*  
22 *shall, in conjunction with the Oregon Health Authority, identify:*]

23 “[*(a) The costs to state government that were avoided as a result of the*  
24 *Improving People’s Access to Community-based Treatment, Supports and Ser-*  
25 *VICES Program established in ORS 430.231; and]*

26 “[*(b) Any increased costs to local governments as a result of the program.*]

27 “[*(2) No later than January 1 of each odd-numbered year, the committee*  
28 *shall submit a report to the Legislative Assembly, in the manner provided by*  
29 *ORS 192.245, that includes the costs described in subsection (1) of this section*  
30 *and describes the methodology employed by the committee in determining the*



1 *costs.]*

2 “[*(3) Annually, the committee*] **The Oregon Criminal Justice Commis-**  
3 **sion** shall **annually** submit a report, in the manner provided in ORS 192.245,  
4 on the outcome measures or the results of evaluations of the [*program*] **Im-**  
5 **proving People’s Access to Community-based Treatment, Supports and**  
6 **Services Program established in ORS 430.231** to the interim committees  
7 of the Legislative Assembly related to health and the judiciary and to the  
8 Governor.

9 **“SECTION 17. ORS 430.234, 430.235 and 430.236 are repealed.**

10

11 **“(Treatment Court Grants)**

12

13 **“SECTION 18.** ORS 423.150 is amended to read:

14 “423.150. (1) The Department of Corrections shall[:]

15 “[*(a)*] provide appropriate treatment services to drug-addicted persons in  
16 the custody of the department who are at a high or medium risk of reof-  
17 fending and who have moderate to severe treatment needs.[:; *and*]

18 “[*(b)* *Make grants to counties in order to provide supplemental funding*  
19 *for:*]

20 “[*(A)* *The operation of local jails;*]

21 “[*(B)* *Appropriate treatment services for drug-addicted persons on pro-*  
22 *bation, parole or post-prison supervision; or*]

23 “[*(C)* *The intensive supervision of drug-addicted persons on probation,*  
24 *parole or post-prison supervision, including the incarceration of drug-addicted*  
25 *persons who have violated the terms and conditions of probation, parole or*  
26 *post-prison supervision.*]

27 “(2) The Oregon Criminal Justice Commission shall **establish the**  
28 **Oregon Treatment Court Grant Program** to make grants to counties in  
29 order to provide supplemental funding for [*drug*] **treatment** courts [*for*  
30 *drug-addicted persons*]. **The grants must support the adherence of**

1 **treatment courts to the treatment court standards developed under**  
2 **ORS 137.680**, *including*] **and may fund** the costs of appropriate treatment  
3 services and the incarceration of persons who have violated the terms and  
4 conditions of [*a drug*] **the treatment** court.

5 “(3)(a) The appropriate legislative committee shall periodically conduct  
6 oversight hearings on the effectiveness of this section.

7 “(b) The Oregon Criminal Justice Commission shall periodically conduct  
8 independent evaluations of the programs funded by this section for their ef-  
9 fectiveness in reducing criminal behavior in a cost-effective manner and shall  
10 report the findings to the Alcohol and Drug Policy Commission.

11 “(4) The Department of Corrections shall determine which persons are  
12 eligible for treatment under subsection [(1)(a)] (1) of this section using an  
13 actuarial risk assessment tool.

14 “[5] *The department shall adopt rules to administer the grant program*  
15 *described in subsection (1)(b) of this section.*]

16 “[6] *Prior to adopting the rules described in subsection (5) of this section,*  
17 *the department shall consult with a broad-based committee that includes rep-*  
18 *resentatives of:*]

19 “[*(a) County boards of commissioners;*]

20 “[*(b) County sheriffs;*]

21 “[*(c) District attorneys;*]

22 “[*(d) County community corrections;*]

23 “[*(e) The Oregon Criminal Justice Commission;*]

24 “[*(f) Presiding judges of the judicial districts of this state;*]

25 “[*(g) Public defenders; and*]

26 “[*(h) Treatment providers.*]

27 “[7] (5) In determining which grant proposals to fund within each  
28 county, the [*department*] **commission** shall:

29 “[*(a) Consult with the committee described in subsection (6) of this*  
30 *section;*]

1       “[(b)] (a) Give priority to those proposals that are best designed to reduce  
2 crime and drug addiction; and

3       “[(c)] (b) Be guided by evidence-based and tribal-based practices, risk as-  
4 sessment tools or other research-based considerations.

5       “[(8)] (6) Nothing in this section:

6       “(a) Creates any claim, right of action or civil liability; or

7       “(b) Requires a supervisory authority or the Department of Corrections  
8 to provide treatment to any individual under the authority’s supervision or  
9 in the custody of the department.

10       “[(9)] (7) As used in this section[:],

11       “[(a)] ‘drug-addicted person’ means a person who has lost the ability to  
12 control the personal use of controlled substances, cannabis or alcohol, or  
13 who uses controlled substances, cannabis or alcohol to the extent that the  
14 health of the person or that of others is substantially impaired or endangered  
15 or the social or economic function of the person is substantially disrupted.  
16 A drug-addicted person may be physically dependent, a condition in which  
17 the body requires a continuing supply of a controlled substance, cannabis  
18 or alcohol to avoid characteristic withdrawal symptoms, or psychologically  
19 dependent, a condition characterized by an overwhelming mental desire for  
20 continued use of a controlled substance, cannabis or alcohol.

21       “[(b)] ‘Intensive supervision’ means the active monitoring of a person’s per-  
22 formance in a treatment program by a parole and probation officer and the  
23 imposition of sanctions, or request to a court for sanctions, if the person fails  
24 to abide by the terms and conditions of a treatment program.]

25       “**SECTION 19. The Oregon Treatment Court Grant Program Ac-**  
26 **count is established in the State Treasury, separate and distinct from**  
27 **the General Fund. All moneys in the account are continuously appro-**  
28 **priated to the Oregon Criminal Justice Commission for the purpose**  
29 **of carrying out the provisions of ORS 137.656 (3)(d) and 423.150.**

30

1                   **“LAW ENFORCEMENT-FOCUSED GRANT PROGRAMS**

2                                   **“(General Provisions)**

3  
4           **“SECTION 20. (1) The Oregon Law Enforcement Grant Program is**  
5 **established within the Oregon Criminal Justice commission to support**  
6 **local law enforcement in Oregon.**

7           **“(2) The Oregon Law Enforcement Grant Program consists of**  
8 **grants awarded to cities and counties by the commission in the fol-**  
9 **lowing program areas:**

10          **“(a) The Organized Retail Theft Grant Program established under**  
11 **ORS 137.686;**

12          **“(b) The Illegal Marijuana Market Enforcement Grant Program es-**  
13 **tablished under ORS 475C.531;**

14          **“(c) The Oregon Jail-Based Medications for Opioid Use Disorder**  
15 **Grant Program established under section 82, chapter 70, Oregon Laws**  
16 **2024;**

17          **“(d) The Jason Myers Public Safety Wellness Grant Program es-**  
18 **tablished under section 28 of this 2025 Act; and**

19          **“(e) Any other grant programs administered by the commission**  
20 **that provide funding consistent with the goals described in this sec-**  
21 **tion.**

22          **“(3) If any of the program areas included in subsection (2) of this**  
23 **section include eligible applicants other than counties:**

24          **“(a) Grants shall not be awarded to those entities using the proce-**  
25 **dures described in this section.**

26          **“(b) The commission shall, prior to releasing the solicitation for**  
27 **applications for the Oregon Law Enforcement Grant Program, select**  
28 **the proportion of funds to be set aside for noncounty applicants.**

29          **“(4) During a grant application period established by the commis-**  
30 **sion, the proportion of grant funds available to each county shall be**

1 **determined in accordance with the statutory requirements for each**  
2 **program area listed in subsection (2)(a) to (e) of this section.**

3 **“(5)(a) The commission shall adopt rules to administer the Oregon**  
4 **Law Enforcement Grant Program. The rules may include:**

5 **“(A) A methodology for reviewing and approving grant applications**  
6 **and awarding grants;**

7 **“(B) Provisions allowing the commission to approve provisional**  
8 **funding plans for counties applying for grants under this section;**

9 **“(C) Provisions allowing the commission to establish supplemental**  
10 **grant periods to distribute any unallocated funds;**

11 **“(D) Provisions allowing the commission to establish methods for**  
12 **evaluating program efficacy;**

13 **“(E) Provisions related to requests by grant recipients to adjust**  
14 **their grant awards; and**

15 **“(F) Provisions related to partnerships or collaborations between**  
16 **cities and counties.**

17 **“(b) For grants in program areas listed in subsection (2)(a) to (e)**  
18 **of this section for which entities other than counties may apply, any**  
19 **rules adopted by the commission pursuant to the statute establishing**  
20 **the specific program area shall govern the grant application and award**  
21 **process for noncounty applicants. For county applicants, the rules**  
22 **adopted pursuant to this section shall govern the grant application and**  
23 **award process.**

24 **“(6) Counties may request up to three percent of program funds for**  
25 **administrative costs.**

26 **“(7) As used in this section, ‘administrative costs’ means all costs**  
27 **incurred throughout the administration of the Oregon Law Enforce-**  
28 **ment Grant Program that are not directly related to the delivery of**  
29 **program services or projects.**

30

1                                   **“(Organized Retail Theft Grant Program)”**

2  
3           **“SECTION 21.** ORS 137.686 is amended to read:

4           “137.686. (1) The Organized Retail Theft Grant Program is established to  
5 assist:

6           “(a) Cities and counties with the costs incurred by local law enforcement  
7 agencies in addressing organized retail theft;

8           “(b) The Department of State Police with costs incurred by the depart-  
9 ment in addressing organized retail theft; and

10           “(c) Community-based organizations in addressing organized retail theft.

11           “(2) The Oregon Criminal Justice Commission shall administer the grant  
12 program described in subsection (1) of this section and shall award the  
13 grants described in this section.

14           “(3) The commission shall adopt rules to administer the grant program  
15 **for applicants other than counties.** [*Rules adopted under this section must*  
16 *include:*]

17           “[(a) *A methodology for reviewing and approving grant applications and*  
18 *awarding grants; and]*

19           “[(b) *A process for evaluating the efficacy of programs and services funded*  
20 *by the grant program.*]

21           “(4) Moneys distributed to grant recipients under this section must be  
22 spent on costs associated with addressing and prosecuting organized retail  
23 theft.

24           “[(5) *The commission shall establish three categories of grants under this*  
25 *section as follows:*]

26           “[(a) *Grants awarded, on a competitive basis, to cities and counties;*]

27           “[(b) *Grants awarded, on a competitive basis, to community-based organ-*  
28 *izations; and]*

29           “[(c) *Grants awarded to the department.*]

30           **“SECTION 22. The Organized Retail Theft Grant Program Account**

1 is established in the State Treasury, separate and distinct from the  
2 General Fund. All moneys in the account are continuously appropri-  
3 ated to the Oregon Criminal Justice Commission for the purpose of  
4 carrying out the provisions of ORS 137.686.

5  
6 “(Illegal Marijuana Market Enforcement Grant Program)

7  
8 “**SECTION 23.** ORS 475C.531 is amended to read:

9 “475C.531. (1) The Illegal Marijuana Market Enforcement Grant Program  
10 is established to assist cities and counties with the costs incurred by local  
11 law enforcement agencies and community-based organizations in addressing  
12 unlawful marijuana cultivation or distribution operations.

13 “(2) The Oregon Criminal Justice Commission shall administer the grant  
14 program described in subsection (1) of this section and shall award the  
15 grants described in this section.

16 “(3) The commission shall adopt rules to administer the grant program.  
17 [*Rules adopted under this section must include:*]

18 “[*(a) A methodology for reviewing and approving grant applications and*  
19 *awarding grants; and*]

20 “[*(b) A process for evaluating the efficacy of local law enforcement pro-*  
21 *grams and services funded by the grant program.*]

22 “(4) Moneys distributed to grant recipients under this section must be  
23 spent on costs associated with addressing and prosecuting unlawful  
24 marijuana cultivation or distribution operations.

25 “(5) The commission shall prioritize the following when awarding grants  
26 under this section:

27 “(a) Providing financial assistance to local law enforcement agencies and  
28 district attorneys in rural areas of this state to address unlawful marijuana  
29 cultivation or distribution operations;

30 “(b) Supporting local law enforcement agencies and district attorneys in

1 investigating and prosecuting large-scale unlawful marijuana cultivation or  
2 distribution operations;

3 “(c) Providing financial assistance to local law enforcement agencies and  
4 district attorneys in the investigation and prosecution of organized crime  
5 involved in unlawful marijuana cultivation or distribution operations;

6 “(d) Providing financial assistance to local law enforcement agencies and  
7 district attorneys in the investigation and prosecution of unlawful marijuana  
8 cultivation or distribution operations that divert marijuana outside of this  
9 state; and

10 “(e) Providing financial assistance to local law enforcement agencies and  
11 community-based organizations in order to address the ongoing humanitarian  
12 crisis associated with unlawful marijuana cultivation or distribution oper-  
13 ations and to facilitate connections to any necessary assistance and services  
14 for individuals impacted by the humanitarian crisis, including but not lim-  
15 ited to language translation services and housing and legal assistance.

16

17 “(Jail-Based Medications for Opioid Use Disorder Grant Program)

18

19 “**SECTION 24.** Section 81, chapter 70, Oregon Laws 2024, is amended to  
20 read:

21 “**Sec. 81.** As used in [*sections 81 to 86 of this 2024 Act*] **section 82,**  
22 **chapter 70, Oregon Laws 2024:**

23 “(1) ‘Commission’ means the Oregon Criminal Justice Commission.

24 “(2) ‘Local correctional facility’ has the meaning given that term in ORS  
25 169.005.

26 “(3) ‘Tribal correctional facility’ means a jail or prison in Oregon that is  
27 operated by a federally recognized tribe and confines persons for more than  
28 36 hours.

29 “**SECTION 25.** Section 82, chapter 70, Oregon Laws 2024, is amended to  
30 read:



1       **“Sec. 82.** (1) The Oregon Jail-Based Medications for Opioid Use Disorder  
2 Grant Program is established in the Oregon Criminal Justice Commission to  
3 provide opioid use disorder treatment and transition planning services to  
4 persons in custody in local correctional facilities and tribal correctional fa-  
5 cilities.

6       “(2) The commission, in collaboration with the Oregon Health Authority,  
7 shall administer the grant program. At minimum, the commission and au-  
8 thority shall collaborate to provide grant recipients support with technical  
9 assistance and best practices.

10       **“(3) The commission shall award grants to cities and counties in**  
11 **Oregon that operate a local correctional facility and to federally re-**  
12 **cognized tribes in Oregon that operate a tribal correctional facility.**

13       **“(4) At least 10 percent of total moneys awarded to grant recipients**  
14 **must be awarded to local correctional facilities in rural areas, as de-**  
15 **defined by the commission by rule, or tribal correctional facilities. If any**  
16 **amount of the 10 percent is not awarded during an initial application**  
17 **cycle, the remaining amount may be awarded to any otherwise eligible**  
18 **local correctional facility or tribal correctional facility under a sup-**  
19 **plemental application cycle.**

20       **“(5) The commission may enter a contract with a third party to**  
21 **provide statewide technical assistance to grant recipients.**

22       **“(6) The commission shall consider geographic equity when award-**  
23 **ing grant funds.**

24       **“(7) Moneys awarded to grant recipients under this section may be**  
25 **used to:**

26       **“(a) Provide medication, telemedicine or any other reasonable**  
27 **treatment to persons in custody with an opioid use disorder.**

28       **“(b) Develop or operate mobile or nonmobile opioid treatment units.**

29       **“(c) Administer screenings for opioid use disorder or risk of acute**  
30 **withdrawal.**

1       “(d) Facilitate transition planning services for persons in custody  
2 who seek or receive opioid use disorder treatment.

3       “(e) Undertake any other actions reasonably calculated to mitigate  
4 operational or structural barriers to providing opioid use disorder  
5 treatment in local correctional facilities or tribal correctional facili-  
6 ties, including but not limited to mitigating any lack of secure storage  
7 for medication.

8       “(8) The commission shall adopt rules necessary to administer the  
9 program described in this section for noncounty applicants. The rules,  
10 at minimum, must:

11       “(a) Establish a methodology for reviewing and approving grant  
12 applications and awarding grants.

13       “(b) Require applicants to submit a statement acknowledging that  
14 any grant funds received must be expended in accordance with the  
15 allowable uses described in subsection (7) of this section.

16       “(c) Require applicants to submit a letter of commitment from each  
17 administrator of a local correctional facility or tribal correctional fa-  
18 cility who is associated with the application, committing to participate  
19 in good faith in the grant program.

20       “(d) Define ‘rural’ for purposes of this section.

21       “**SECTION 26.** Section 87, chapter 70, Oregon Laws 2024, is amended to  
22 read:

23       “**Sec. 87.** (1) The Oregon Jail-Based Medications for Opioid Use Disorder  
24 Fund is established in the State Treasury, separate and distinct from the  
25 General Fund. Interest earned by the Oregon Jail-Based Medications for  
26 Opioid Use Disorder Fund shall be credited to the fund. The fund consists  
27 of moneys appropriated or otherwise transferred to the fund by the Legisla-  
28 tive Assembly.

29       “(2) Moneys in the fund are continuously appropriated to the Oregon  
30 Criminal Justice Commission for the purposes of carrying out sections 81

1 [to 86 of this 2024 Act] and 82, chapter 70, Oregon Laws 2024.

2 **“SECTION 27. Sections 83, 84, 85 and 86, chapter 70, Oregon Laws**  
3 **2024, are repealed.**

4

5 **“(Jason Myers Public Safety Wellness Grant Program)**

6

7 **“SECTION 28. (1) Subject to available funds, the Oregon Criminal**  
8 **Justice Commission shall establish and administer the Jason Myers**  
9 **Public Safety Wellness Grant Program as described in this section.**

10 **“(2) The purpose of the program described in this section is to pro-**  
11 **vide agencies employing first responders with supplemental funding**  
12 **designed to improve the wellness of employees of the agency.**

13 **“(3)(a) Grant funds awarded under this section may be used for:**

14 **“(A) Covering costs associated with visits by first responders with**  
15 **a qualified mental health professional for qualifying events.**

16 **“(B) The local procurement of a mobile wellness application that**  
17 **offers employees self-assessments, health monitoring, educational**  
18 **videos, guides and articles on wellness health topics and that incor-**  
19 **porates agency-specific content as well as one-touch access to peer**  
20 **support, therapists and chaplains.**

21 **“(b) Grant funds awarded under this section may not:**

22 **“(A) Supplant recipients’ existing funding; or**

23 **“(B) Cover the costs to an employer incurred following a use of**  
24 **deadly force as required by ORS 181A.790.**

25 **“(4) The commission shall adopt rules to carry out the provisions**  
26 **of this section. The rules must include, but are not limited to:**

27 **“(a) A methodology for reviewing and approving grant applications**  
28 **and distributing grant funds;**

29 **“(b) Provisions allowing the commission to establish supplemental**  
30 **grant periods to distribute any unallocated funds;**

1       “(c) Provisions allowing the commission to establish methods for  
2 evaluating program efficacy; and

3       “(d) Provisions related to requests by grant recipients to adjust  
4 their grant awards.

5       “(5) As used in this section:

6       “(a) ‘First responder’ means police officers, public safety dispatch-  
7 ers and community service officers employed by a police department  
8 or sheriff’s office and persons in nonsworn positions within police de-  
9 partments or sheriff’s offices, including records clerks and evidence  
10 technicians, who are employed by the State of Oregon or any county,  
11 city or local government.

12       “(b) ‘Qualifying event’ means any event, direct or indirect, or  
13 learned exposure involving actual or threatened death or serious  
14 physical injury, including repeated or chronic exposure to traumatic  
15 events or aversive details of traumatic events.

16       “SECTION 29. The Jason Myers Public Safety Wellness Grant Pro-  
17 gram Account is established in the State Treasury, separate and dis-  
18 tinct from the General Fund. All moneys in the account are  
19 continuously appropriated to the Oregon Criminal Justice Commission  
20 for the purpose of carrying out the provisions of section 28 of this 2025  
21 Act.

22  
23               “OREGON CRIMINAL JUSTICE COMMISSION CHANGES  
24

25       “SECTION 30. ORS 137.654 is amended to read:

26       “137.654. (1) There is established the Oregon Criminal Justice Commission  
27 consisting of [*nine*] **11** members[. *The Governor shall appoint seven members*  
28 *who are subject to confirmation by the Senate pursuant to section 4, Article*  
29 *III of the Oregon Constitution. The President of the Senate shall appoint one*  
30 *state Senator as a nonvoting member. The Speaker of the House of Represen-*

1 *tatives shall appoint one state Representative as a nonvoting member. Members*  
2 *serve at the pleasure of the appointing authority. The Governor shall appoint*  
3 *members of the commission consistent with the following:] as follows:*

4 **“(a) The Governor shall appoint the following nine members who**  
5 **are subject to confirmation by the Senate pursuant to Article III,**  
6 **section 4, of the Oregon Constitution:**

7 **“(A) One member who is an elected district attorney.**

8 **“(B) One member who is a defense attorney.**

9 **“(C) One member who is a county sheriff or chief of police.**

10 **“(D) One member who is a community corrections director who is**  
11 **not a sheriff.**

12 **“(E) One member who is a county commissioner.**

13 **“(F) One member with experience providing community-based**  
14 **treatment for persons with substance use disorder or a behavioral**  
15 **health condition.**

16 **“(G) One member who is associated with an academic institution**  
17 **and who has research experience in criminal justice or a related field.**

18 **“(H) Two additional members.**

19 **“(b) The President of the Senate shall appoint one Senator as a**  
20 **nonvoting member.**

21 **“(c) The Speaker of the House of Representatives shall appoint one**  
22 **Representative as a nonvoting member.**

23 **“(2) The Governor shall appoint commission members in accordance**  
24 **with the following principles:**

25 **“(a) Members shall be appointed with consideration of geographic, racial,**  
26 **ethnic and gender diversity and lived experience in the criminal justice**  
27 **system.**

28 **“(b) Not more than [four] half of the members may belong to the same**  
29 **political party. Party affiliation is determined by the appropriate entry on**  
30 **official election registration cards.**

1        “[2)(a)] **(3)(a)** The term of office of each member is four years or until  
2 the end of a legislative member’s legislative term, whichever occurs first.  
3 Before the expiration of the term of a member, the appointing authority shall  
4 appoint a successor whose term begins immediately upon the expiration of  
5 the term of the current member. A member is eligible for reappointment but  
6 may serve no more than two consecutive terms.

7        “(b) In case of a vacancy for any cause, the appointing authority shall  
8 appoint a person to fill the office for the unexpired term. When a person is  
9 appointed under this paragraph, the unexpired term may not be considered  
10 for purposes of the limitation to two consecutive terms of service.

11       “[3)] **(4)** The Governor shall appoint one of the commissioners as chair-  
12 person, to serve at the pleasure of the Governor. The members of the com-  
13 mission shall elect from among themselves a vice chairperson who shall  
14 preside over meetings and exercise the functions of the chairperson during  
15 absence or disability of the chairperson. The chairperson and vice chair-  
16 person shall execute the duties determined by the commission to be neces-  
17 sary.

18       “[4)] **(5)** The chairperson shall appoint one member, subject to the ap-  
19 proval of the commission, to serve on an executive committee with the  
20 chairperson and vice chairperson. The executive committee may exercise the  
21 powers and responsibilities of the commission between meetings of the com-  
22 mission. All action taken by the executive committee not previously author-  
23 ized must be submitted to the commission for approval at the next regular  
24 or special meeting.

25       “[5)] **(6)** A majority of the voting members of the commission constitutes  
26 a quorum for the transaction of business.

27       “[6)] **(7)** The commission shall meet at least once a month, at a time and  
28 place determined by the commission. The commission shall also meet at such  
29 other times and places as are specified by the call of the chairperson. If a  
30 majority of members, in writing, request a special meeting, the chairperson

1 shall designate a time for a special meeting as requested.

2 “[7] (8) The Governor shall appoint an executive director for the com-  
3 mission who shall be in the exempt service and who shall be responsible for  
4 the performance of duties assigned by the commission. Subject to the State  
5 Personnel Relations Law, the executive director may employ appropriate  
6 staff to carry out the duties assigned by the commission.

7 “[8] (9) Members of the commission are entitled to expenses as provided  
8 in ORS 292.495. Subject to the availability of funds, members of a committee  
9 established under ORS 137.658 who are not commission members may be re-  
10 imbursement for actual and necessary travel and other expenses incurred by  
11 them in the performance of their official duties, subject to ORS 292.495 (2).  
12 Any legislative members are entitled to payment of compensation and ex-  
13 pense reimbursement under ORS 171.072, payable from funds appropriated to  
14 the Legislative Assembly.

15 “[9] (10) The commission is subject to the provisions of ORS 291.201 to  
16 291.222 and 291.232 to 291.260.

17 “[10] (11) The commission shall consult with and seek advice and coun-  
18 sel of the Chief Justice of the Supreme Court and the State Court Adminis-  
19 trator on any matter that impacts the operation of the courts. The Chief  
20 Justice may have a representative participate in any meeting of the com-  
21 mission.

22 **“SECTION 31.** ORS 137.656 is amended to read:

23 “137.656. (1) The purpose of the Oregon Criminal Justice Commission is  
24 to improve the effectiveness and efficiency of state and local criminal justice  
25 systems by providing a centralized and impartial forum for statewide policy  
26 development and planning.

27 “(2) The primary duty of the commission is to develop and maintain a  
28 state criminal justice policy and comprehensive, long-range plan for a coor-  
29 dinated state criminal justice system that encompasses public safety, offender  
30 accountability, crime reduction and prevention and offender treatment and

1 rehabilitation. The plan must include, but need not be limited to, recom-  
2 mendations regarding:

3 “(a) Capacity, utilization and type of state and local prison and jail fa-  
4 cilities;

5 “(b) Implementation of community corrections programs;

6 “(c) Alternatives to the use of prison and jail facilities;

7 “(d) Appropriate use of existing facilities and programs;

8 “(e) Whether additional or different facilities and programs are necessary;

9 “(f) Methods of assessing the effectiveness of juvenile and adult  
10 correctional programs, devices and sanctions in reducing future criminal  
11 conduct by juvenile and adult offenders;

12 “(g) Methods of reducing the risk of future criminal conduct; and

13 “(h) The effective utilization of local public safety coordinating councils.

14 “(3) Other duties of the commission are:

15 “(a) To conduct joint studies by agreement with other state agencies,  
16 boards, [or] commissions **or Oregon Health and Science University** on any  
17 matter within the jurisdiction of the commission.

18 “(b) To provide Oregon criminal justice analytical and statistical infor-  
19 mation to federal agencies and serve as a clearinghouse and information  
20 center for the collection, preparation, analysis and dissemination of infor-  
21 mation on state and local sentencing practices.

22 “(c) To provide technical assistance and support to local public safety  
23 coordinating councils.

24 “(d) To receive grant applications to start or expand [drug] **treatment**  
25 court programs as defined in ORS 3.450, to make rules to govern the grant  
26 process and to award grant funds according to the rules.

27 “(e) To prepare the racial and ethnic impact statements described in ORS  
28 137.683 and 137.685.

29 “(f) To assess the extent to which each county is reducing racial and  
30 ethnic disparities in its correctional population.



1 “(4) The commission shall establish by rule the information that must be  
2 submitted under ORS 137.010 (9) and the methods for submitting the infor-  
3 mation. A rule adopted under this subsection must be approved by the Chief  
4 Justice of the Supreme Court before it takes effect.

5 “(5) The commission may:

6 “(a) Apply for and receive gifts and grants from any public or private  
7 source.

8 “(b) Award grants from funds appropriated by the Legislative Assembly  
9 to the commission or from funds otherwise available from any other source,  
10 for the purpose of carrying out the duties of the commission.

11 “(c) Adopt rules to carry out the provisions of this subsection.

12

13 “**SPECIALTY COURT CHANGES**

14

15 “**SECTION 32.** ORS 137.680 is amended to read:

16 “137.680. (1) As used in this section, [*specialty courts*] ‘**treatment**  
17 **courts**’ means [*drug*] **treatment** court programs as defined in ORS 3.450[,  
18 *veterans’ courts, mental health courts or any other similar court or docketing*  
19 *system*].

20 “(2)(a) The Oregon Criminal Justice Commission shall serve as a clear-  
21 inghouse and information center for the collection, preparation, analysis and  
22 dissemination of the best practices applicable to [*specialty*] **treatment**  
23 courts.

24 “(b) After consulting with the Judicial Department, the commission shall  
25 develop evidence-based standards that may be applied to [*specialty*] **treat-**  
26 **ment** courts. The standards must:

27 “(A) Be designed to reduce recidivism in a cost-effective manner; and

28 “(B) When appropriate, target medium-risk and high-risk offenders.

29 “(3) The Chief Justice of the Supreme Court may issue an order applicable  
30 to [*specialty*] **treatment** courts. The order may include a requirement that

1 a circuit court that operates a [*specialty*] **treatment** court review the stan-  
2 dards described in subsection (2) of this section.

3 **“SECTION 33.** ORS 3.450, as amended by section 15, chapter 73, Oregon  
4 Laws 2024, is amended to read:

5 “3.450. (1) As used in this section:

6 “[*(a) ‘Drug court program’ means a program in which:*]

7 “[*(A) Individuals who are before the court obtain treatment for substance*  
8 *abuse issues and report regularly to the court on the progress of their treat-*  
9 *ment; and*]

10 “[*(B) A local drug court team, consisting of the court, agency personnel and*  
11 *treatment and service providers, monitors the individuals’ participation in*  
12 *treatment.*]

13 “[*(b)*] **(a)** ‘Individual-provider relationship’ includes a relationship be-  
14 tween an individual and a physician, a physician associate or nurse practi-  
15 tioner.

16 **“(b)(A) ‘Treatment court program’ means a program that follows**  
17 **the standards described in ORS 137.680 in which:**

18 **“(i) Individuals are before the court to obtain treatment for sub-**  
19 **stance use or mental health issues and report regularly to the court**  
20 **on the progress of their treatment; and**

21 **“(ii) A local treatment court team, consisting of the court, agency**  
22 **personnel and treatment and service providers, monitors the**  
23 **individuals’ participation in treatment.**

24 **“(B) ‘Treatment court program’ includes adult drug courts, courts**  
25 **for driving while under the influence of intoxicants offenses, family**  
26 **treatment courts, juvenile courts, veterans’ courts, mental health**  
27 **courts and any other similar court.**

28 **“(2)(a)** The governing body of a county or a treatment provider may es-  
29 tablish fees that individuals participating in a [*drug*] **treatment** court pro-  
30 gram may be required to pay for treatment and other services provided as

1 part of the *[drug]* **treatment** court program.

2 “(b) A court may order an individual participating in a *[drug]* **treatment**  
3 court program to pay fees to participate in the program. Fees imposed under  
4 this subsection may not be paid to the court.

5 “(3) Records that are maintained by the circuit court specifically for the  
6 purpose of a *[drug]* **treatment** court program must be maintained separately  
7 from other court records. Records maintained by a circuit court specifically  
8 for the purpose of a *[drug]* **treatment** court program are confidential and  
9 may not be disclosed except in accordance with regulations adopted under  
10 42 U.S.C. 290dd-2, including under the circumstances described in subsections  
11 (4) to (7) of this section.

12 “(4) If the individual who is the subject of the record gives written con-  
13 sent, a record described in subsection (3) of this section may be disclosed to  
14 members of the local *[drug]* **treatment** court team in order to develop  
15 treatment plans, monitor progress in treatment and determine outcomes of  
16 participation in the *[drug]* **treatment** court program.

17 “(5) A record described in subsection (3) of this section may not be in-  
18 troduced into evidence in any legal proceeding other than the *[drug]* **treat-**  
19 **ment** court program unless:

20 “(a) The individual who is the subject of the record gives written consent  
21 for introduction of the record; or

22 “(b) The court finds good cause for introduction. In determining whether  
23 good cause exists for purposes of this paragraph, the court shall weigh the  
24 public interest and the need for disclosure against the potential injury  
25 caused by the disclosure to:

26 “(A) The individual who is the subject of the record;

27 “(B) The individual-provider relationship; and

28 “(C) The treatment services being provided to the individual who is the  
29 subject of the record.

30 “(6) A court, the State Court Administrator, the Alcohol and Drug Policy

1 Commission or the Oregon Criminal Justice Commission:

2 “(a) May use records described in subsection (3) of this section and other  
3 [drug] **treatment** court program information to track and develop statistics  
4 about the effectiveness, costs and other areas of public interest concerning  
5 [drug] **treatment** court programs.

6 “(b) May release statistics developed under paragraph (a) of this sub-  
7 section and analyses based on the statistics to the public.

8 “(7) Statistics and analyses released under subsection (6) of this section  
9 may not contain any information that identifies an individual participant in  
10 a [drug] **treatment** court program.

11 **“SECTION 34.** ORS 131A.360 is amended to read:

12 “131A.360. (1) The provisions of this section apply only to a forfeiting  
13 agency other than the state, and apply only to forfeiture proceeds arising out  
14 of prohibited conduct as described in ORS 131A.005 (12)(a), (b) and (c).

15 “(2) If the forfeiting agency is not a county, the forfeiting agency shall  
16 enter into an agreement, under ORS chapter 190, with the county in which  
17 the property was seized to provide a portion of the forfeiture proceeds to the  
18 county.

19 “(3) After entry of a judgment of forfeiture, a forfeiting agency shall first  
20 pay from the forfeiture proceeds the costs incurred by seizing and forfeiting  
21 agencies in investigating and prosecuting the case, including costs, dis-  
22 bursements and attorney fees as defined in ORCP 68 A, special expenses such  
23 as the provision of currency for undercover law enforcement operations, the  
24 cost of disabling a hidden compartment in a motor vehicle and the expenses  
25 of maintaining the seized property. The forfeiting agency may not pay ex-  
26 penditures made in connection with the ordinary maintenance and operation  
27 of a seizing or forfeiting agency under this subsection.

28 “(4) After payment of costs under subsection (3) of this section, the for-  
29 feiting agency shall:

30 “(a) Deduct an amount equal to five percent of the forfeiture proceeds and

1 deposit that amount in the Illegal Drug Cleanup Fund established under ORS  
2 475.495 for the purposes specified in ORS 475.495 (5) and (6);

3 “(b) Deduct an amount equal to 2.5 percent of the forfeiture proceeds and  
4 deposit that amount in the Asset Forfeiture Oversight Account;

5 “(c) Deduct an amount equal to 20 percent of the forfeiture proceeds and  
6 deposit that amount in the Oregon Criminal Justice Commission Account  
7 established under ORS 137.662 for support for [*specialty*] **treatment** courts  
8 as defined in ORS 137.680;

9 “(d) Deduct an amount equal to 10 percent of the forfeiture proceeds and  
10 deposit that amount in the Department of Early Learning and Care Fund  
11 established under ORS 326.435 for disbursement to Relief Nursery programs  
12 as defined in ORS 417.786; and

13 “(e) Deduct an amount equal to 10 percent of the forfeiture proceeds and  
14 deposit that amount in an account established or designated by the State  
15 Treasurer in the higher education qualified tuition savings program of the  
16 Oregon 529 Savings Network for disbursement to the scholarship program for  
17 children of public safety officers established under ORS 348.270.

18 “(5) If the forfeiting agency has entered into an agreement with a county  
19 under subsection (2) of this section, after paying costs under subsection (3)  
20 of this section and making the deductions required by subsection (4) of this  
21 section, the forfeiting agency shall pay the county the amounts required by  
22 the agreement.

23 “(6) After making all payments and deductions required by subsections (3),  
24 (4) and (5) of this section, the forfeiting agency may use the remaining  
25 forfeiture proceeds, including amounts received by a county under subsection  
26 (5) of this section or by any other public body under an intergovernmental  
27 agreement entered into under ORS 131A.355, only for:

28 “(a) The purchase of equipment necessary for the enforcement of laws  
29 relating to the unlawful delivery, distribution, manufacture or possession of  
30 controlled substances;

1 “(b) Currency for undercover law enforcement operations;

2 “(c) Drug awareness and drug education programs offered in middle  
3 schools and high schools;

4 “(d) The expenses of a forfeiting agency in operating joint narcotic oper-  
5 ations with other forfeiting agencies pursuant to the terms of an intergov-  
6 ernmental agreement, including paying for rental space, utilities and office  
7 equipment;

8 “(e) Expenses of a district attorney in criminal prosecutions for unlawful  
9 delivery, distribution, manufacture or possession of controlled substances,  
10 as determined through intergovernmental agreement between the forfeiting  
11 agency and the district attorney;

12 “(f) Drug treatment and programs that support drug treatment; and

13 “(g) A CASA Volunteer Program as defined in ORS 184.489.

14 “(7) Notwithstanding subsection (6) of this section, growing equipment  
15 and laboratory equipment seized by a forfeiting agency that was used, or  
16 intended for use, in the manufacturing of controlled substances may be do-  
17 nated to a public school, community college or institution of higher educa-  
18 tion.

19 “(8) A forfeiting agency shall sell as much property as may be needed to  
20 make the distributions required by this section. Distributions required under  
21 subsection (4) of this section must be made once every three months and are  
22 due within 20 days of the end of each quarter. No interest shall accrue on  
23 amounts that are paid within the period specified by this subsection.

24 **“SECTION 35.** ORS 131A.365 is amended to read:

25 “131A.365. (1) The provisions of this section apply only when the forfeit-  
26 ing agency is the state, and apply only to forfeiture proceeds arising out of  
27 prohibited conduct as described in ORS 131A.005 (12)(a), (b) and (c).

28 “(2) After entry of a judgment of forfeiture, a forfeiting agency shall first  
29 pay from the forfeiture proceeds the costs incurred by seizing and forfeiting  
30 agencies in investigating and prosecuting the case, including costs, dis-

1 bursements and attorney fees as defined in ORCP 68 A, special expenses such  
2 as the provision of currency for undercover law enforcement operations, the  
3 cost of disabling a hidden compartment in a motor vehicle and the expenses  
4 of maintaining the seized property. The forfeiting agency may not pay ex-  
5 penditures made in connection with the ordinary maintenance and operation  
6 of a seizing or forfeiting agency under this subsection. Any amount paid to  
7 or retained by the Department of Justice under this subsection shall be de-  
8 posited in the Criminal Justice Revolving Account in the State Treasury.  
9 Any amount paid to or retained by the Oregon State Police under this sub-  
10 section shall be deposited in the State Police Account.

11 “(3) After payment of costs under subsection (2) of this section, the for-  
12 feiting agency shall:

13 “(a) Deduct an amount equal to 10 percent of the forfeiture proceeds and  
14 deposit that amount in the Illegal Drug Cleanup Fund established under ORS  
15 475.495 for the purposes specified in ORS 475.495 (5) and (6);

16 “(b) Deduct an amount equal to three percent of the forfeiture proceeds,  
17 not to exceed \$50,000 in a biennium, and deposit that amount in the Asset  
18 Forfeiture Oversight Account;

19 “(c) Deduct an amount equal to 20 percent of the forfeiture proceeds and  
20 deposit that amount in the Oregon Criminal Justice Commission Account  
21 established under ORS 137.662 for support for [*specialty*] **treatment** courts  
22 as defined in ORS 137.680;

23 “(d) Deduct an amount equal to 10 percent of the forfeiture proceeds and  
24 deposit that amount in the Department of Early Learning and Care Fund  
25 established under ORS 326.435 for disbursement to Relief Nursery programs  
26 as defined in ORS 417.786; and

27 “(e) Deduct an amount equal to 10 percent of the forfeiture proceeds and  
28 deposit that amount in an account established or designated by the State  
29 Treasurer in the higher education qualified tuition savings program of the  
30 Oregon 529 Savings Network for disbursement to the scholarship program for

1 children of public safety officers established under ORS 348.270.

2 “(4) If the forfeiting agency has entered into an intergovernmental  
3 agreement with another public body under ORS 131A.355, or has entered into  
4 an agreement with any other law enforcement agency of the state relating  
5 to distribution of forfeiture proceeds, after paying costs under subsection (2)  
6 of this section and making the deductions required by subsection (3) of this  
7 section, the forfeiting agency shall pay an equitable portion of the forfeiture  
8 proceeds to each agency participating in the seizure or forfeiture as provided  
9 by the agreement.

10 “(5) After making all payments and deductions required by subsections (2),  
11 (3) and (4) of this section, the forfeiting agency shall distribute the remaining  
12 forfeiture proceeds as follows:

13 “(a) If no law enforcement agency other than the Department of Justice  
14 participated in the seizure or forfeiture, the remaining forfeiture proceeds,  
15 and forfeiture proceeds received by the Department of Justice under sub-  
16 section (4) of this section, shall be divided between the Criminal Justice  
17 Revolving Account and the Special Crime and Forfeiture Account according  
18 to the following schedule:

19 “(A) One hundred percent of the first \$200,000 accumulated shall be de-  
20 posited in the Criminal Justice Revolving Account.

21 “(B) Seventy-five percent of the next \$200,000 shall be deposited in the  
22 Criminal Justice Revolving Account and the balance in the Special Crime  
23 and Forfeiture Account.

24 “(C) Fifty percent of the next \$200,000 shall be deposited in the Criminal  
25 Justice Revolving Account and the balance in the Special Crime and  
26 Forfeiture Account.

27 “(D) Twenty-five percent of the next \$200,000 shall be deposited in the  
28 Criminal Justice Revolving Account and the balance in the Special Crime  
29 and Forfeiture Account.

30 “(E) One hundred percent of all additional sums shall be deposited in the



1 Special Crime and Forfeiture Account.

2 “(b) If no law enforcement agency other than the Department of State  
3 Police participated in the seizure or forfeiture, the remaining proceeds, and  
4 proceeds received by the Department of State Police under subsection (4) of  
5 this section, shall be divided between the State Police Account and the  
6 Special Crime and Forfeiture Account according to the following schedule:

7 “(A) One hundred percent of the first \$600,000 accumulated shall be de-  
8 posited in the State Police Account.

9 “(B) Seventy-five percent of the next \$300,000 shall be deposited in the  
10 State Police Account and the balance in the Special Crime and Forfeiture  
11 Account.

12 “(C) Fifty percent of the next \$200,000 shall be deposited in the State  
13 Police Account and the balance in the Special Crime and Forfeiture Account.

14 “(D) Twenty-five percent of the next \$200,000 shall be deposited in the  
15 State Police Account and the balance in the Special Crime and Forfeiture  
16 Account.

17 “(E) One hundred percent of all additional sums shall be deposited in the  
18 Special Crime and Forfeiture Account.

19 “(6) Forfeiture proceeds distributed under subsection (5) of this section  
20 may be used only for:

21 “(a) The purchase of equipment necessary for the enforcement of laws  
22 relating to the unlawful delivery, distribution, manufacture or possession of  
23 controlled substances;

24 “(b) Currency for undercover law enforcement operations;

25 “(c) Drug awareness and drug education programs offered in middle  
26 schools and high schools; and

27 “(d) The expenses of a forfeiting agency in operating joint narcotic oper-  
28 ations with other forfeiting agencies pursuant to the terms of an intergov-  
29 ernmental agreement, including paying for rental space, utilities and office  
30 equipment.

1 “(7) A forfeiting agency shall sell as much property as may be needed to  
2 make the distributions required by this section. Distributions required under  
3 subsection (3) of this section must be made once every three months and are  
4 due within 20 days of the end of each quarter. No interest shall accrue on  
5 amounts that are paid within the period specified by this subsection.

6 **“SECTION 36.** ORS 135.973 is amended to read:

7 “135.973. (1) As used in this section, [*specialty court*] **‘treatment court’**  
8 has the meaning given that term in ORS 137.680.

9 “(2) An individual may not be denied entry into a [*specialty*] **treatment**  
10 court in this state solely for the reason that the individual is taking, or in-  
11 tends to take, medication prescribed by a licensed health care practitioner  
12 for the treatment of drug abuse or dependency.

13 **“SECTION 37.** ORS 135.985 is amended to read:

14 “135.985. (1) As used in this section, ‘servicemember’ means a person who  
15 is a member, or who served as a member, of the Armed Forces of the United  
16 States, the reserve components of the Armed Forces of the United States or  
17 the National Guard.

18 “(2) At the time of arraignment on a criminal charge, the court shall in-  
19 form the defendant that the defendant’s status as a servicemember may make  
20 the defendant eligible for treatment programs, diversion, [*specialty*] **treat-**  
21 **ment** courts or mitigated sentencing, and that the defendant may obtain in-  
22 formation about these options by consulting with the defendant’s attorney.

23 “(3) In a criminal proceeding the defendant’s attorney may, with the per-  
24 mission of the defendant, notify the court that the defendant is a  
25 servicemember.

26 “(4) The fact that a defendant is a servicemember may not be used as an  
27 aggravating factor in determining the defendant’s sentence.

28 **“SECTION 38.** ORS 137.372 is amended to read:

29 “137.372. (1)(a) Notwithstanding the provisions of ORS 137.370 (2), an  
30 offender who has been revoked from a probationary sentence for a felony

1 committed on or after November 1, 1989, and whose sentence was imposed  
2 as a downward dispositional departure under the rules of the Oregon Crimi-  
3 nal Justice Commission, shall receive credit for the time served in jail after  
4 arrest and before commencement of the probationary sentence and for the  
5 time served in jail as part of the probationary sentence. However, if the  
6 credit for the time served in jail as described in this paragraph is greater  
7 than 90 days, the sentencing judge may limit or deny credit for any of that  
8 time that exceeds 90 days.

9 “(b) Notwithstanding the provisions of ORS 137.370 (2), an offender who  
10 has been revoked from a probationary sentence for a felony committed on  
11 or after November 1, 1989, and whose sentence was imposed as a presumptive  
12 or optional probationary sentence under the rules of the Oregon Criminal  
13 Justice Commission, shall receive credit for the time served in jail after ar-  
14 rest and before commencement of the probationary sentence and for the time  
15 served in jail as part of the probationary sentence, unless the sentencing  
16 judge orders otherwise.

17 “(2) Notwithstanding the provisions of ORS 137.370 (2), an offender who  
18 is sentenced to imprisonment in the custody of the Department of Cor-  
19 rections following the failure to complete a diversion program described in  
20 ORS 430.450 to 430.555 or a [*specialty*] **treatment** court program in which  
21 the offender was not on probation shall receive credit for the time served in  
22 jail after arrest and before commencement of the program and for the time  
23 served in jail as a sanction for violating the terms of the program, unless the  
24 sentencing judge orders otherwise.

25 “(3) Notwithstanding the provisions of ORS 137.320 (4), an offender who  
26 has been ordered confined as part of a probationary sentence for a felony  
27 committed on or after July 18, 1995, shall receive credit for the time served  
28 in jail after arrest and before commencement of the term unless the sen-  
29 tencing judge orders otherwise.

30 “(4) As used in this section, [*specialty court*] ‘**treatment court**’ has the

1 meaning given that term in ORS 137.680.

2 **“SECTION 39.** ORS 137.532 is amended to read:

3 “137.532. (1)(a) Whenever a person is charged with a misdemeanor or a  
4 Class C felony, other than driving while under the influence of intoxicants,  
5 and has been formally accepted into a [*specialty*] **treatment** court, the court,  
6 with the consent of the district attorney and the person, may defer further  
7 proceedings and place the person on probation. The terms of the probation  
8 shall be defined by a probation agreement.

9 “(b) A probation agreement carries the understanding that if the defend-  
10 ant fulfills the terms of the agreement, the criminal charges filed against the  
11 defendant will be dismissed with prejudice.

12 “(c) The agreement must contain a waiver of the following rights of the  
13 defendant with respect to each criminal charge:

14 “(A) The right to a speedy trial and trial by jury;

15 “(B) The right to present evidence on the defendant’s behalf;

16 “(C) The right to confront and cross-examine witnesses against the de-  
17 fendant;

18 “(D) The right to contest evidence presented against the defendant, in-  
19 cluding the right to object to hearsay evidence; and

20 “(E) The right to appeal from a judgment of conviction resulting from an  
21 adjudication of guilt entered under subsection (2) of this section, unless the  
22 appeal is based on an allegation that the sentence exceeds the maximum al-  
23 lowed by law or constitutes cruel and unusual punishment.

24 “(d) The agreement must include a requirement that the defendant pay  
25 any restitution owed to the victim as determined by the court, and any fees  
26 for court-appointed counsel ordered by the court under ORS 135.050.

27 “(e) The agreement may not contain a requirement that the defendant  
28 enter a plea of guilty or no contest on any charge in the accusatory instru-  
29 ment.

30 “(f) Entering into a probation agreement does not constitute an admission

1 of guilt and is not sufficient to warrant a finding or adjudication of guilt  
2 by a court.

3 “(g) Police reports or other documents associated with the criminal  
4 charges in a court file other than the probation agreement may not be ad-  
5 mitted into evidence, and do not establish a factual basis for finding the  
6 defendant guilty, unless the court resumes criminal proceedings and enters  
7 an adjudication of guilt under subsection (2) of this section.

8 “(2) Upon violation of a term or condition of the probation agreement, the  
9 court may resume the criminal proceedings and may find the defendant guilty  
10 of the offenses in the accusatory instrument in accordance with the waiver  
11 of rights in the probation agreement. The defendant may not contest the  
12 sufficiency of the evidence establishing the defendant’s guilt of the offenses  
13 in the accusatory instrument.

14 “(3) Upon fulfillment of the terms and conditions of the probation agree-  
15 ment, the court shall discharge the person and dismiss the proceedings  
16 against the person. Discharge and dismissal under this section shall be  
17 without adjudication of guilt and is not a conviction for purposes of this  
18 section or for purposes of disqualifications or disabilities imposed by law  
19 upon conviction of a crime. There may be only one discharge and dismissal  
20 under this section with respect to any person.

21 “(4) In the event that the period of probation under this section expires,  
22 but the terms and conditions of the probation agreement have not been ful-  
23 filled and no probation violation proceeding was initiated prior to the expi-  
24 ration of the period of probation, the court may not discharge the person and  
25 dismiss the proceedings against the person. The court shall instead issue an  
26 order requiring the person to appear and to show cause why the court should  
27 not enter an adjudication of guilt as described in subsection (2) of this sec-  
28 tion due to the failure of the person to fulfill the terms and conditions of the  
29 probation agreement prior to expiration of the period of probation. At the  
30 hearing on the order to show cause, after considering any evidence or argu-

1 ment from the district attorney and the person, the court may:

2 “(a) Order a new period of probation to allow the person to fulfill the  
3 terms and conditions of the probation agreement; or

4 “(b) Enter an adjudication of guilt as described in subsection (2) of this  
5 section.

6 “(5) Nothing in this section is intended to restrict a person’s participation  
7 in a [*specialty*] **treatment** court or conditional discharge under ORS 475.245.

8 “(6) As used in this section, [*specialty court*] ‘**treatment court**’ has the  
9 meaning given that term in ORS 137.680.

10

11 **“HOUSE BILL 3194 (2013) CHANGES**

12

13 **“SECTION 40. ORS 475.934 is repealed.**

14 **“SECTION 41. Section 8, chapter 649, Oregon Laws 2013, as amended  
15 by section 22, chapter 78, Oregon Laws 2022, and section 3, chapter 572,  
16 Oregon Laws 2023, is repealed.**

17 **“SECTION 42.** Section 12, chapter 673, Oregon Laws 2017, as amended  
18 by section 7, chapter 572, Oregon Laws 2023, is amended to read:

19 **“Sec. 12.** [(1)] The amendments to ORS 137.717 and 421.168 by sections 4  
20 and 5, chapter 673, Oregon Laws 2017, and the repeal of section 16, chapter  
21 649, Oregon Laws 2013, by section 3, chapter 673, Oregon Laws 2017, become  
22 operative on January 1, 2018.

23 “[*(2) The amendments to ORS 137.717 by section 6, chapter 673, Oregon  
24 Laws 2017, become operative on July 1, 2033.*]

25 **“SECTION 43.** Section 13, chapter 673, Oregon Laws 2017, as amended  
26 by section 8, chapter 572, Oregon Laws 2023, is amended to read:

27 **“Sec. 13.** (1) The amendments to section 1, chapter 830, Oregon Laws 2015,  
28 by section 2, chapter 673, Oregon Laws 2017, apply to sentences imposed on  
29 or after August 8, 2017.

30 “(2) The amendments to ORS 137.717 and 421.168 by sections 4 and 5,

1 chapter 673, Oregon Laws 2017, apply to sentences imposed on or after Jan-  
2 uary 1, 2018.

3 “[3] *The amendments to ORS 137.717 by section 6, chapter 673, Oregon*  
4 *Laws 2017, apply to sentences imposed on or after July 1, 2033.*]

5 **“SECTION 44.** ORS 137.717, as amended by section 7, chapter 649, Oregon  
6 Laws 2013, section 6, chapter 673, Oregon Laws 2017, and section 3, chapter  
7 151, Oregon Laws 2023, is amended to read:

8 “137.717. (1) When a court sentences a person convicted of:

9 “(a) Aggravated theft in the first degree under ORS 164.057, organized  
10 retail theft under ORS 164.098, burglary in the first degree under ORS  
11 164.225[ *robbery in the third degree under ORS 164.395*] or aggravated iden-  
12 tity theft under ORS 165.803, the presumptive sentence is 24 months of in-  
13 carceration, unless the rules of the Oregon Criminal Justice Commission  
14 prescribe a longer presumptive sentence, if the person has:

15 “(A) A previous conviction for aggravated theft in the first degree under  
16 ORS 164.057, organized retail theft under ORS 164.098, burglary in the first  
17 degree under ORS 164.225, robbery in the third degree under ORS 164.395,  
18 robbery in the second degree under ORS 164.405, robbery in the first degree  
19 under ORS 164.415 or aggravated identity theft under ORS 165.803;

20 “(B) Two or more previous convictions for any combination of the crimes  
21 listed in subsection (2) of this section; or

22 “(C) A previous conviction for a crime listed in subsection (2) of this  
23 section, if the current crime of conviction was committed while the defendant  
24 was on supervision for the previous conviction or less than three years after  
25 the date the defendant completed the period of supervision for the previous  
26 conviction.

27 “(b) Unauthorized use of a vehicle under ORS 164.135, mail theft or re-  
28 ceipt of stolen mail under ORS 164.162, burglary in the second degree under  
29 ORS 164.215, criminal mischief in the first degree under ORS 164.365, com-  
30 puter crime under ORS 164.377, **robbery in the third degree under ORS**

1 **164.395**, forgery in the first degree under ORS 165.013, criminal possession  
2 of a forged instrument in the first degree under ORS 165.022, fraudulent use  
3 of a credit card under ORS 165.055 (4)(b), possession of a stolen vehicle under  
4 ORS 819.300 or trafficking in stolen vehicles under ORS 819.310, the  
5 presumptive sentence is 18 months of incarceration, unless the rules of the  
6 Oregon Criminal Justice Commission prescribe a longer presumptive sen-  
7 tence, if the person has:

8 “(A) A previous conviction for aggravated theft in the first degree under  
9 ORS 164.057, organized retail theft under ORS 164.098, unauthorized use of  
10 a vehicle under ORS 164.135, burglary in the first degree under ORS 164.225,  
11 robbery in the third degree under ORS 164.395, robbery in the second degree  
12 under ORS 164.405, robbery in the first degree under ORS 164.415, possession  
13 of a stolen vehicle under ORS 819.300, trafficking in stolen vehicles under  
14 ORS 819.310 or aggravated identity theft under ORS 165.803;

15 “(B) Two or more previous convictions for any combination of the crimes  
16 listed in subsection (2) of this section; or

17 “(C) A previous conviction for a crime listed in subsection (2) of this  
18 section, if the current crime of conviction was committed while the defendant  
19 was on supervision for the previous conviction or less than three years after  
20 the date the defendant completed the period of supervision for the previous  
21 conviction.

22 “(c) Theft in the first degree under ORS 164.055 or identity theft under  
23 ORS 165.800, the presumptive sentence is 13 months of incarceration, unless  
24 the rules of the Oregon Criminal Justice Commission prescribe a longer  
25 presumptive sentence, if the person has:

26 “(A) A previous conviction for aggravated theft in the first degree under  
27 ORS 164.057, organized retail theft under ORS 164.098, unauthorized use of  
28 a vehicle under ORS 164.135, burglary in the first degree under ORS 164.225,  
29 robbery in the second degree under ORS 164.405, robbery in the first degree  
30 under ORS 164.415, possession of a stolen vehicle under ORS 819.300, traf-



1   ficking in stolen vehicles under ORS 819.310 or aggravated identity theft  
2   under ORS 165.803; or

3       “(B) Four or more previous convictions for any combination of crimes  
4   listed in subsection (2) of this section.

5       “(2) The crimes to which subsection (1) of this section applies are:

6       “(a) Theft in the second degree under ORS 164.045;

7       “(b) Theft in the first degree under ORS 164.055;

8       “(c) Aggravated theft in the first degree under ORS 164.057;

9       “(d) Organized retail theft under ORS 164.098;

10       “(e) Unauthorized use of a vehicle under ORS 164.135;

11       “(f) Mail theft or receipt of stolen mail under ORS 164.162;

12       “(g) Burglary in the second degree under ORS 164.215;

13       “(h) Burglary in the first degree under ORS 164.225;

14       “(i) Criminal mischief in the second degree under ORS 164.354;

15       “(j) Criminal mischief in the first degree under ORS 164.365;

16       “(k) Computer crime under ORS 164.377;

17       “(L) Forgery in the second degree under ORS 165.007;

18       “(m) Forgery in the first degree under ORS 165.013;

19       “(n) Criminal possession of a forged instrument in the second degree un-  
20   der ORS 165.017;

21       “(o) Criminal possession of a forged instrument in the first degree under  
22   ORS 165.022;

23       “(p) Fraudulent use of a credit card under ORS 165.055;

24       “(q) Identity theft under ORS 165.800;

25       “(r) Possession of a stolen vehicle under ORS 819.300;

26       “(s) Trafficking in stolen vehicles under ORS 819.310; and

27       “(t) Any attempt to commit a crime listed in this subsection.

28       “(3)(a) A presumptive sentence described in subsection (1)(a) or (b) of this  
29   section shall be increased by two months for each previous conviction the  
30   person has that:

1       “(A) Was for any of the crimes listed in subsection (1) or (2) of this sec-  
2 tion; and

3       “(B) Was not used as a predicate for the presumptive sentence described  
4 in subsection (1)(a) or (b) of this section.

5       “(b) Previous convictions may not increase a presumptive sentence de-  
6 scribed in subsection (1)(a) or (b) of this section by more than 12 months  
7 under this subsection.

8       “(4) The court may impose a sentence other than the sentence provided  
9 by subsection (1) or (3) of this section if the court imposes:

10      “(a) A longer term of incarceration that is otherwise required or author-  
11 ized by law; or

12      “(b) A departure sentence authorized by the rules of the Oregon Criminal  
13 Justice Commission based upon findings of substantial and compelling rea-  
14 sons. Unless the law or the rules of the Oregon Criminal Justice Commission  
15 allow for imposition of a longer sentence, the maximum departure allowed  
16 for a person sentenced under this subsection is double the presumptive sen-  
17 tence provided in subsection (1) or (3) of this section.

18      “(5) Notwithstanding subsection (4)(b) of this section, the court may not  
19 sentence a person under subsection (4) of this section to a term of incarcer-  
20 ation that exceeds the period of time described in ORS 161.605.

21      “(6) The court shall sentence a person under this section to at least the  
22 presumptive sentence described in subsection (1)(a) or (b) or (3) of this sec-  
23 tion, unless the parties stipulate otherwise or the court finds that:

24      “(a) The person was not on probation, parole or post-prison supervision  
25 for a crime listed in subsection (1) of this section at the time of the com-  
26 mission of the current crime of conviction;

27      “(b) The person has not previously received a downward departure from  
28 a presumptive sentence for a crime listed in subsection (1) of this section;

29      “(c) The harm or loss caused by the crime is not greater than usual for  
30 that type of crime; and

1 “(d) In consideration of the nature of the offense and the harm to the  
2 victim, a downward departure will:

3 “(A) Increase public safety;

4 “(B) Enhance the likelihood that the person will be rehabilitated; and

5 “(C) Not unduly reduce the appropriate punishment.

6 “(7) When the court imposes a sentence of probation for a conviction for  
7 theft in the first degree or identity theft or under subsection (6) of this sec-  
8 tion, the supervisory authority as defined in ORS 144.087 may require the  
9 person to receive a high level of supervision for at least 12 months, and may  
10 extend the period of high-level supervision for all or part of the remaining  
11 probationary term.

12 “(8)(a) For a crime committed on or after November 1, 1989, a conviction  
13 is considered to have occurred upon the pronouncement of sentence in open  
14 court. However, when sentences are imposed for two or more convictions  
15 arising out of the same conduct or criminal episode, none of the convictions  
16 is considered to have occurred prior to any of the other convictions arising  
17 out of the same conduct or criminal episode.

18 “(b) For a crime committed prior to November 1, 1989, a conviction is  
19 considered to have occurred upon the pronouncement in open court of a  
20 sentence or upon the pronouncement in open court of the suspended imposi-  
21 tion of a sentence.

22 “(9) For purposes of this section, previous convictions must be proven  
23 pursuant to ORS 137.079.

24 “(10) As used in this section:

25 “(a) ‘Downward departure’ means a downward dispositional departure or  
26 a downward durational departure under the rules of the Oregon Criminal  
27 Justice Commission.

28 “(b) ‘Previous conviction’ includes:

29 “(A) Convictions occurring before, on or after July 1, 2003; and

30 “(B) Convictions entered in any other state or federal court for compa-

1 rable offenses.

2 **“SECTION 45. (1) Section 33, chapter 649, Oregon Laws 2013, as**  
3 **amended by section 24, chapter 78, Oregon Laws 2022, and section 5,**  
4 **chapter 572, Oregon Laws 2023, is repealed.**

5 **“(2) Section 38, chapter 649, Oregon Laws 2013, as amended by sec-**  
6 **tion 25, chapter 78, Oregon Laws 2022, and section 6, chapter 572,**  
7 **Oregon Laws 2023, is repealed.**

8 **“SECTION 46. ORS 40.015, as amended by section 37, chapter 649, Oregon**  
9 **Laws 2013, is amended to read:**

10 “40.015. (1) The Oregon Evidence Code applies to all courts in this state  
11 except for:

12 “(a) A hearing or mediation before a magistrate of the Oregon Tax Court  
13 as provided by ORS 305.501;

14 “(b) The small claims department of a circuit court as provided by ORS  
15 46.415; and

16 “(c) The small claims department of a justice court as provided by ORS  
17 55.080.

18 “(2) The Oregon Evidence Code applies generally to civil actions, suits  
19 and proceedings, criminal actions and proceedings and to contempt pro-  
20 ceedings except those in which the court may act summarily.

21 “(3) ORS 40.225 to 40.295 relating to privileges apply at all stages of all  
22 actions, suits and proceedings.

23 “(4) ORS 40.010 to 40.210 and 40.310 to 40.585 do not apply in the following  
24 situations:

25 “(a) The determination of questions of fact preliminary to admissibility  
26 of evidence when the issue is to be determined by the court under ORS  
27 40.030.

28 “(b) Proceedings before grand juries, except as required by ORS 132.320.

29 “(c) Proceedings for extradition, except as required by ORS 133.743 to  
30 133.857.

1 “(d) Sentencing proceedings, except proceedings under ORS 138.052 and  
2 163.150, as required by ORS 137.090 or proceedings under ORS 136.765 to  
3 136.785.

4 “(e) Proceedings to revoke probation, except as required by ORS 137.090.

5 “(f) **Proceedings conducted in a reentry court under section 29,**  
6 **chapter 649, Oregon Laws 2013.**

7 “[*f*] (g) Issuance of warrants of arrest, bench warrants or search war-  
8 rants.

9 “[*g*] (h) Proceedings under ORS chapter 135 relating to conditional re-  
10 lease, security release, release on personal recognizance, or preliminary  
11 hearings, subject to ORS 135.173.

12 “[*h*] (i) Proceedings to determine proper disposition of a child in ac-  
13 cordance with ORS 419B.325 (2) and 419C.400 (4).

14 “[*i*] (j) Proceedings under ORS 813.210, 813.215, 813.220, 813.230, 813.250  
15 and 813.255 to determine whether a driving while under the influence of  
16 intoxicants diversion agreement should be allowed or terminated.

17 “[*j*] (k) Proceedings under ORS 147.530 relating to victims’ rights, except  
18 for the provisions of ORS 40.105 and 40.115.

19 “**SECTION 47.** ORS 144.096, as amended by section 35, chapter 649,  
20 Oregon Laws 2013, section 2, chapter 40, Oregon Laws 2017, section 2, chap-  
21 ter 438, Oregon Laws 2017, and section 27, chapter 213, Oregon Laws 2019,  
22 is amended to read:

23 “144.096. (1)(a) The Department of Corrections shall prepare a proposed  
24 release plan for an adult in custody and submit the proposed release plan to  
25 the State Board of Parole and Post-Prison Supervision prior to the release.

26 “(b) If the proposed release plan is not approved by the board, the board  
27 shall return the plan to the department with its recommended modifications.  
28 The department shall submit a revised plan to the board prior to the release.

29 “(c) If the revised plan is not acceptable to the board, the board shall  
30 determine the provisions of the final plan prior to the release.

1 “(d) The department, in consultation with the board, shall by rule estab-  
2 lish deadlines by which a proposed release plan described in paragraph (a)  
3 of this subsection and a revised plan described in paragraph (b) of this sub-  
4 section must be submitted to the board prior to release.

5 “(e) **If an adult in custody was sentenced under section 29, chapter**  
6 **649, Oregon Laws 2013, and the release plan recommends that the adult**  
7 **in custody participate in a reentry court, the board shall provide a**  
8 **copy of the release plan to the reentry court.**

9 “(2) The local supervisory authority that is responsible for correctional  
10 services for an adult in custody shall prepare a proposed release plan for the  
11 adult in custody prior to the release from jail. The local supervisory au-  
12 thority shall approve the release plan under its rules. **If the adult in cus-**  
13 **tody was sentenced under section 29, chapter 649, Oregon Laws 2013,**  
14 **and the supervisory authority recommends that the adult in custody**  
15 **participate in a reentry court, the supervisory authority shall provide**  
16 **a copy of the release plan to the reentry court.**

17 “(3) A release plan prepared under subsection (1) or (2) of this section  
18 must include:

19 “(a) A description of support services and program opportunities available  
20 to the adult in custody, including any transitional housing or treatment  
21 programs to which the adult in custody has been accepted;

22 “(b) The recommended conditions of post-prison supervision;

23 “(c) The level of supervision that shall be consistent with the risk as-  
24 sessment classification of the adult in custody;

25 “(d) Any other conditions and requirements as may be necessary to pro-  
26 mote public safety;

27 “(e) For all adults in custody whose sentence to make restitution under  
28 ORS 137.106 has been suspended for the term of imprisonment, a restitution  
29 payment schedule; and

30 “(f) Any conditions necessary to assist the reformation of the adult in

1 custody.

2 **“SECTION 48.** ORS 144.101, as amended by section 34, chapter 649,  
3 Oregon Laws 2013, is amended to read:

4 “144.101. (1) The State Board of Parole and Post-Prison Supervision has  
5 jurisdiction over the imposition of conditions of post-prison supervision and  
6 sanctions for violations of those conditions for a person convicted of a felony  
7 if:

8 “(a) The term of imprisonment imposed on the person is more than 12  
9 months;

10 “(b) The felony is classified as crime category 8, 9, 10 or 11 of the sen-  
11 tencing guidelines grid of the Oregon Criminal Justice Commission;

12 “(c) The person is subject to a sentence under ORS 137.700 or 137.707;

13 “(d) The person is sentenced as a dangerous offender under ORS 161.725  
14 and 161.737;

15 “(e) The person is subject to a term of post-prison supervision under ORS  
16 144.103;

17 “(f) The person is committed to the custody of the Department of Cor-  
18 rections under ORS 137.124;

19 “(g) The responsibility for correctional services for the person has re-  
20 verted to the department under ORS 423.483; or

21 “(h) No local supervisory authority is responsible for correctional services  
22 for the person under the laws of this state.

23 “(2) Except as provided in subsection (1) of this section, a local supervi-  
24 sory authority has jurisdiction over the imposition of conditions of post-  
25 prison supervision and sanctions for violations of those conditions for a  
26 person sentenced to a term of imprisonment of 12 months or less.

27 “(3) If a local supervisory authority imposes conditions of post-prison  
28 supervision or sanctions for violations of those conditions, the person may  
29 request the board to review the conditions or sanctions. The board shall re-  
30 view the request and may, at its discretion, review the conditions and sanc-

1 tions, under rules adopted by the board.

2 “(4) If a circuit court in a participating county, as defined in section  
3 29, chapter 649, Oregon Laws 2013, enters an order admitting a person  
4 into a reentry court under section 29 (3), chapter 649, Oregon Laws  
5 2013, the reentry court has concurrent jurisdiction over the imposition  
6 of sanctions for violations of the conditions of post-prison supervision.

7 “[4] (5) Nothing in this section affects the jurisdiction of the board over  
8 the imposition of conditions of parole and sanctions for violations of those  
9 conditions.

10 “**SECTION 49.** ORS 144.106, as amended by section 36, chapter 649,  
11 Oregon Laws 2013, is amended to read:

12 “144.106. (1) Except as otherwise provided by rules of the Department of  
13 Corrections and the State Board of Parole and Post-Prison Supervision con-  
14 cerning parole and post-prison supervision violators, the supervisory au-  
15 thority shall use a continuum of administrative sanctions for violations of  
16 the conditions of post-prison supervision.

17 “(2) The sanction continuum shall include adjustments to the level of  
18 supervision and, as approved by the board or the local supervisory authority  
19 that imposed the initial conditions of post-prison supervision:

20 “(a) Modification of or additions to the conditions of supervision; and

21 “(b) Any other appropriate available local sanctions including, but not  
22 limited to, jail, community service work, house arrest, electronic surveil-  
23 lance, restitution centers, work release centers, day centers or other local  
24 sanctions established by agreement with the supervisory authority.

25 “(3) An offender may not be confined in a restitution center, work release  
26 center or jail for more than 15 days for a violation of conditions of post-  
27 prison supervision unless:

28 “(a) The Department of Corrections, county corrections agency or super-  
29 visory authority imposes a local sanction under subsection (1) of this section;  
30 [or]





1       **“Sec. 1.** (1) The Oregon Health Authority, in consultation with counties  
2 and community mental health programs, shall conduct a study to determine  
3 the funding required for each community mental health program to provide  
4 the services and perform the functions required by law related to individuals  
5 with behavioral health disorders in the following age groups:

6       “(a) Newborns through youth 17 years of age;

7       “(b) Ages 18 through 25; and

8       “(c) Ages 26 and older.

9       “(2) The study must include, but is not limited to, the costs of providing  
10 the services and performing the functions described in:

11       “(a) ORS 161.315 to 161.351, 161.355 to 161.371, 161.385 to 161.395 and  
12 161.505 to 161.585.

13       “(b) ORS 426.005 to 426.390, 426.510 to 426.680, 426.701 and 426.702.

14       “(c) ORS 430.021, 430.210, 430.230, [*to 430.236*] **430.231, 430.233**, 430.265 to  
15 430.380, 430.397 to 430.401, 430.405 to 430.565 and 430.610 to 430.880 except  
16 ORS 430.630.

17       “(d) ORS 430.627, 430.628, 430.629 and 430.630.

18       “(3) The authority shall compile a report of the authority’s findings about  
19 the costs of providing the services and performing the functions described in  
20 the sections listed in:

21       “(a) Subsection (2)(a), (b) and (d) of this section and make the report  
22 available on the authority’s website no later than January 1, 2025, and every  
23 five years thereafter; and

24       “(b) Subsection (2)(c) of this section and make the report available on the  
25 authority’s website no later than January 1, 2026, and every five years  
26 thereafter.

27       **“SECTION 52.** Section 1, chapter 80, Oregon Laws 2024, as amended by  
28 section 3, chapter 80, Oregon Laws 2024, is amended to read:

29       **“Sec. 1.** (1) The Oregon Health Authority, in consultation with counties  
30 and community mental health programs, shall conduct a study to determine

1 the funding required for each community mental health program to provide  
2 the services and perform the functions required by law related to individuals  
3 with behavioral health disorders in the following age groups:

4 “(a) Newborns through youth 17 years of age;

5 “(b) Ages 18 through 25; and

6 “(c) Ages 26 and older.

7 “(2) The study must include, but is not limited to, the costs of providing  
8 the services and performing the functions described in:

9 “(a) ORS 161.315 to 161.351, 161.355 to 161.371, 161.385 to 161.395 and  
10 161.505 to 161.585.

11 “(b) ORS 426.005 to 426.390, 426.510 to 426.680, 426.701 and 426.702.

12 “(c) ORS 430.021, 430.210, 430.230, [*to 430.236*] **430.231, 430.233**, 430.265 to  
13 430.380, 430.397 to 430.401, 430.405 to 430.565 and 430.610 to 430.880 except  
14 ORS 430.630.

15 “(d) ORS 430.627, 430.628, 430.629 and 430.630.

16 “(3) The authority shall compile reports of the authority’s findings about  
17 the costs of providing the services and performing the functions described in  
18 “subsection (2) of this section every five years and make the reports avail-  
19 able on the authority’s website.

20

## 21 “OPERATIVE DATES

22

23 “**SECTION 53. (1) Sections 1, 4, 7, 19, 20 and 22 of this 2025 Act, and**  
24 **the amendments to ORS 137.679, 137.686, 423.150, 430.230, 430.231, 430.233,**  
25 **430.238, 430.243, 430.245 and 475C.531 and sections 52 and 53, chapter 649,**  
26 **Oregon Laws 2013, sections 81, 82 and 87, chapter 70, Oregon Laws 2024,**  
27 **and section 1, chapter 80, Oregon Laws 2024, by sections 2, 3, 10, 12 to**  
28 **16, 18, 21, 23 to 26 and 50 to 52 of this 2025 Act, and the repeal of ORS**  
29 **430.234, 430.235 and 430.236 and section 56, chapter 649, Oregon Laws**  
30 **2013, sections 4, 5 and 7, chapter 98, Oregon Laws 2018, and sections**

1 83, 84, 85 and 86, chapter 70, Oregon Laws 2024, by sections 5, 6, 17 and  
2 27 of this 2025 Act become operative on July 1, 2026.

3 “(2) The Oregon Criminal Justice Commission may take any action  
4 before the operative date specified in subsection (1) of this section that  
5 is necessary to enable the commission, on and after the operative date  
6 specified in subsection (1) of this section, to exercise all of the powers,  
7 duties and functions conferred on the commission by sections 1, 4, 7,  
8 19, 20 and 22 of this 2025 Act, and the amendments to ORS 137.679,  
9 137.686, 423.150, 430.230, 430.231, 430.233, 430.238, 430.243, 430.245 and  
10 475C.531 and sections 52 and 53, chapter 649, Oregon Laws 2013, sections  
11 81, 82 and 87, chapter 70, Oregon Laws 2024, and section 1, chapter 80,  
12 Oregon Laws 2024, by sections 2, 3, 10, 12 to 16, 18, 21, 23 to 26 and 50  
13 to 52 of this 2025 Act, and the repeal of ORS 430.234, 430.235 and 430.236  
14 and section 56, chapter 649, Oregon Laws 2013, sections 4, 5 and 7,  
15 chapter 98, Oregon Laws 2018, and sections 83, 84, 85 and 86, chapter  
16 70, Oregon Laws 2024, by sections 5, 6, 17 and 27 of this 2025 Act.

17

18

“CAPTIONS

19

20 “SECTION 54. The unit captions used in this 2025 Act are provided  
21 only for the convenience of the reader and do not become part of the  
22 statutory law of this state or express any legislative intent in the  
23 enactment of this 2025 Act.

24

25

“EMERGENCY CLAUSE

26

27 “SECTION 55. This 2025 Act being necessary for the immediate  
28 preservation of the public peace, health and safety, an emergency is  
29 declared to exist, and this 2025 Act takes effect on its passage.”.

30