

HOUSE JUDICIARY SUBCOMMITTEE

ON CRIMINAL LAW

February 24, 2005 Hearing Room 357

8:30 A.M. Tape 20

MEMBERS PRESENT: Rep. Jeff Barker, Chair

Rep. Greg Macpherson

Rep. Andy Olson

Rep. Kim Thatcher

GUEST MEMBER: Rep. Wayne Krieger

STAFF PRESENT: Heidi Moawad, Counsel

Joe O'Leary, Counsel

Elizabeth Howe, Committee Assistant

MEASURES HEARD: SB 124 – Public Hearing and Work Session

HB 2570 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 20, A		
003	Barker	Calls the meeting to order at 8:34 a.m. Opens a public hearing on SB 124.

SB 124 – PUBLIC HEARING

007	Joe O’Leary	Counsel. Introduces SB 124, which approves adoptions of certain rules and amendments to sentencing guidelines rules by Oregon Criminal Justice Commission.
018	Barker	Mentions 5-0-2 vote in the Senate Judiciary Committee.
021	Barker	Closes public hearing and opens a work session on SB 124.

SB 124 – WORK SESSION

022	Rep. Macpherson	MOTION: Moves SB 124 to the full committee with a DO PASS recommendation.
		VOTE: 4-0-0
		AYE: In a roll call vote, all members present vote Aye.
025	Chair Barker	The motion CARRIES. REP. MACPHERSON will lead discussion in the full committee.
027	Barker	Closes work session on SB 124. Opens a public hearing on HB 2570.

HB 2570 – PUBLIC HEARING

031	Heidi Moawad	Counsel. Introduces HB 2570, which requires Oregon Youth Authority (OYA) to establish system of structured, intermediate probation violation sanctions that may be imposed by juvenile department counselor or youth authority.
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037	Christina McMahan	Oregon District Attorneys Association, Deschutes County Deputy District Attorney. Submits proposed amendments (EXHIBIT A) and testifies in support of HB 2570. Offers background for the bill.
086	McMahan	Suggests waiting for a work session until stakeholders can all be involved in the discussion.
090	Olson	Asks how long it takes Deschutes County to resolve juvenile probation violation cases.
093	McMahan	Estimates that it takes two weeks to a month to resolve the case, as there are typically three hearings.
102	Timothy Travis	Oregon Judicial Department. Testifies that the fiscal impact of HB 2570 may save the state some money. Discusses different viewpoints of judges regarding HB 2570.
153	Travis	Continues discussion of judicial function. Suggests a work group.
168	Travis	Mentions that in most places in Oregon a probation violation sets off one hearing, not three as in Deschutes County.
174	Moawad	Asks about adding language that would address some of his concerns.
182	Travis	Describes the aspect of the bill that allows judicial discretion.
202	Mary Botkin	American Federation of State, County, and Municipal Employees (AFSCME). Testifies neutrally, and suggests putting one of AFSCME's parole officers on the work group for HB 2570.
228	Barker	Asks counsel to get a work group together. Closes the public hearing on HB 2570.
236	Barker	Adjourns the hearing at 8:54 a.m.

EXHIBIT SUMMARY

A. HB 2570, proposed amendments, Christina McMahan, 1 p