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SENATE COMMITTEE ON JUDICIARY

February 07, 2005
1:00 p.m.

Hearing Room 343
Tapes 26 - 27

Corrected 10/26/05

MEMBERS PRESENT: **Sen. Ginny Burdick, Chair**
 Sen. Charles Starr, Vice-Chair
 Sen. Roger Beyer
 Sen. Floyd Prozanski
 Sen. Charlie Ringo
 Sen. Vicki Walker
 Sen. Doug Whitsett

STAFF PRESENT: **Joe O'Leary, Counsel**
 Dale Penn, Committee Assistant

MEASURES/ISSUES HEARD & WITNESSES:

Introduction of Committee Measures – Work Session
SB 240 – Public Hearing
 Representative Chip Shields – Representative District 43
 Benjamin deHaan – Criminal Justice Policy Research Institute,
 Portland State University
 Geoff Sugerman – Western Prison Project
 Terrie Quinteros – Crime Survivors for Community Safety
 Steve Doell – Crime Victims United of Oregon
SB 255 & SB 256 – Public Hearing
 Timothy Sylwester – Oregon District Attorney Association
SB 243 – Public Hearing
 Michael Washington

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 26, A		
005	Chair Burdick	Calls the meeting to order at 1:10 p.m. Opens work session on introduction of committee measures.
<u>INTRODUCTION OF COMMITTEE MEASURES – WORK SESSION</u>		
007	Joe O'Leary	Committee Counsel. Reads LC 119, 2125, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2251 for introduction (EXHIBITS A – L).
025	Sen. Prozanski	MOTION: Moves LC 119, 2125, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2251: BE INTRODUCED as committee bills. VOTE: 5-0- 2 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 – Beyer, Starr
029	Chair Burdick	Hearing no objection, declares the motion CARRIED.
036	Chair Burdick	Opens public hearing on SB 240.

SB 240 – PUBLIC HEARING

039	William E. Taylor	Counsel. Describes SB 240, relating to the creation of the Criminal Justice Research and Policy Institute at Portland State University.
047	Rep. Chip Shields	House District 43. Reads testimony in support of SB 240 (EXHIBIT M) and his relationship with recidivism intervention.
094	Sen. Walker	Asks why PSU was chosen as the recipient.
099	Rep. Shields	Describes the reasoning behind the choice.
120	Sen. Walker	Talks about intervention programs in Eugene.
136	Benjamin deHaan	Director, Criminal Justice Policy Research Institute, Portland State University (PSU). Comments on PSU’s desire to work with other schools. Suggests that more work be done to clean up the funding involved with this bill.
175	deHaan	Discusses possible conceptual amendment recommendations for SB 240.
190	Sen. Prozanski	Inquires about the cost for a fully funded Institute.
197	deHaan	Gives figures for basic core support.
207	Geoff Sugerman	Western Prison Project. Reads testimony in support of SB 240 (EXHIBIT N).
246	Terrie Quinteros	Program Director, Crime Survivors for Community Safety. Reads testimony in support of SB 240 (EXHIBIT O).
271	Steve Doell	President, Crime Victims United of Oregon. Warns the committee that this institute may become an “echo chamber” of similar ideas and morals. Suggests caution while deliberating whether to pass this bill.
352	Chair Burdick	Closes public hearing on SB 240 and opens a public hearing on SB 255 & 256.

SB 255 & 256 – PUBLIC HEARING

366	Joe O’Leary	Counsel. Describes SB 255, relating to provisions towards sentencing of dangerous offenders, and SB 256, relating to sexually violent and dangerous offenders.
378	Timothy Sylwester	Oregon District Attorney Association. Testifies in support of SB 255 & SB 256. Discusses the subsequent repercussions of the <i>Blakely</i> trial on SB 255 & SB 256.
406	Sen. Prozanski	Asks if sunset clauses are needed.
410	Sylwester	Replies that those might be helpful, and would also suggest an amendment to SB 255 to include cases that are currently pending.
447	Chair Burdick	Closes public hearing on SB 255 & SB 256 and opens a public hearing on SB 243.

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SB 243 – PUBLIC HEARING

450	Joe O’Leary	Counsel. Describes SB 243, relating to post-prison supervision or parole for persons convicted of sex crime.
470	Michael Washington	Chairman, Board of Parole and Past Prison Suspension. Testifies in support of SB 243. Comments on the reasoning behind the necessity of the bill.

TAPE 27, A

041	Sen. Prozanski	Wonders about the prohibitions concerning public areas and if they would include a public library.
050	Washington	Responds that there is no statute preventing such individuals from visiting public buildings, only areas that are known for their congregation of minors.

062	Sen. Prozanski	Raises concern over the broad language of this bill.
073	Chair Burdick	Asks about the appeal process.
080	Washington	Explains that the offender can file an administrative review with the parole board and they can issue a response. Goes on to talk about how the Court of Appeals can then be used if the offender is still feeling grievances.
088	Chair Burdick	Comments that this wording is fairly broad.
091	Washington	Expresses that the previous written incarnation of the bill was very broad, but SB 243 has limited the language substantially.
107	Sen. Prozanski	Explains his continued concern over appeals being brought against this bill after being passed due to its broad language. Asks counsel for research concerning similar bills being challenged in the court system.
127	Chair Burdick	Closes public hearing on SB 243.
125	Chair Burdick	Goes over the agenda for the next few days, including trips and visits.
165	Chair Burdick	Adjourns the meeting at 1:45 p.m.

EXHIBIT SUMMARY

- A. **Introduction, LC 2125, staff, 2 pp**
- B. **Introduction, LC 2154, staff, 10 pp**
- C. **Introduction, LC 2155, staff, 1 p**
- D. **Introduction, LC 2156, staff, 1 p**
- E. **Introduction, LC 2157, staff, 1 p**
- F. **Introduction, LC 2158, staff, 2 pp**
- G. **Introduction, LC 2159, staff, 1 p**
- H. **Introduction, LC 2160, staff, 4 pp**
- I. **Introduction, LC 2161, staff, 2 pp**
- J. **Introduction, LC 2162, staff, 1 p**
- K. **Introduction, LC 2251, staff, 1 p**
- L. **Introduction, LC 119, staff, 8 pp**
- M. **SB 240, written testimony, Rep. Chip Shields, 2 pp**
- N. **SB 240, written testimony, Geoff Sugerman, 1 p**
- O. **SB 240, written testimony, Terrie Quinteros, 1 p**