

HOUSE COMMITTEE ON JUDICIARY

February 10, 2003 Hearing Room 357
1:00 p.m. Tapes 27 - 29

MEMBERS PRESENT: Rep. Max Williams, Chair
 Rep. Robert Ackerman, Vice-Chair
 Rep. Gordon Anderson, Vice-Chair
 Rep. Jeff Barker
 Rep. Bob Jenson
 Rep. Jerry Krummel
 Rep. Greg Macpherson
 Rep. Floyd Prozanski
 Rep. Lane Shetterly

STAFF PRESENT: Bill Taylor, Counsel
 Bill Joseph, Counsel
 Ann Martin, Committee Assistant

MEASURE/ISSUES HEARD: **Measure Introduction: LC 57-2 and 1588-2**
 HB 2409 Work Session
 Informational Meeting: Ed Latessa, Ph.D.
 Promoting Public Safety Through Reducing Recidivism

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 27, A		
004	Chair Williams	Calls the meeting to order at 1:10 p.m. Introduces LC 57-2 and 1588-2 (EXHIBITS A & B) .
007	Chair Williams	MOTION: Moves LC 57-2 and 1588-2 BE INTRODUCED as committee bills. VOTE: 9-0
010	Chair Williams	Hearing no objection, declares the motion CARRIED.
023	Chair Williams	Opens a work session on HB 2409.
<u>HB 2409 WORK SESSION</u>		
034	Steve Rodeman	Public Employees Retirement System. Testifies in support of HB 2409 which .
043	Chair Williams	Discusses the -1 amendments to HB 2409 (EXHIBIT C) .
059	Jim Nass	Oregon Judicial Department. Submits testimony and testifies on HB 2409 (EXHIBIT D) . Recommends amendments to HB 2409.
087	Rep. Krummel	Asks if the way it is written now, directs the Supreme Court to hear the case.
091	Nass	Says that is correct and that they have no problem with the Supreme Court being directed to hear the case, but are concerned with being directed how to decide a motion to certify.
100	Rep. Shetterly	Wonders if they need to clarify that this is direct jurisdiction.
112	Nass	Says that they could add "the Supreme Court shall have exclusive

jurisdiction.” Believes that subsections a and b in Section 1, of his amendment make that clear.

118 Rep. Macpherson Asks if there have been direct jurisdiction efforts in the past that took appeals directed at the Supreme Court.

121 Nass Answers that he doesn’t know if any of those bills passed. Says that the ones that did pass are similar to the amendments that he is offering.

131 Rep. Macpherson Comments that there may be legislation coming out of this session for which an expedited consideration by the Supreme Court would be appropriate. Asks about a possibility of parallel legislation later this session that could affect how they act on this bill.

140 Nass Replies that he would hope that the Legislature would be careful where it chooses to use this direct review process.

159 Rep. Macpherson Asks about legislation requiring consolidation of cases.

170 Nass Says he believes that some past legislation has required consolidating and the Supreme Court does not mind so long as it’s permissive and not mandatory.

203 **Chair Williams** **MOTION: Moves to RECOMMEND ADOPTION of HB 2409-1 amendments dated 02/10/03 and FURTHER RECOMMENDS ADOPTION of conceptual amendments proposed by Jim Nass (EXHIBIT D).**
VOTE: 9-0
AYE: In a roll call vote, all members present vote Aye.
The motion CARRIES.

214 **Chair Williams**

220 Chair Williams Introduces Ed Latessa, Ph.D., Criminal Justice, University of Cincinnati.

INFORMATIONAL MEETING

230 Ed Latessa National Institute of Correction. Discusses Promoting Public Safety Through Reducing Recidivism: What Works? What Doesn’t?

TAPE 28, A

004 Latessa Continues his presentation on Promoting Public Safety Through Reducing Recidivism.

388 Chair Williams Inquires about low-risk offender programs.

TAPE 27, B

002 Latessa Continues his presentation on Offender Programs and Reducing Recidivism.

113 Chair Williams Comments that we have a boot camp in Oregon. Asks how successful they are.

115 Latessa Answers that he has assessed several boot camps and that they increase recidivism. Discusses boot camps.

231 Rep. Prozanski Questions the length of recidivism studies done on boot camps.

234 Latessa Says that typically recidivism studies take 2 years.

292 Rep. Prozanski Asks about acupuncture programs dealing with substance abuse.

297 Latessa Explains that he did some studies on acupuncture and that it doesn’t work in reducing drug use among the prison population.

TAPE 28, B

003 Latessa Continues his presentation and discusses what works based on empirical research.

052 Bill Joseph Committee Counsel. Asks Latessa to describe what a Behavioral Approach is.

056	Latessa	Describes a Behavioral Approach and Treatment Program.
115	Rep. Krummel	Asks for an explanation of a Cognitive Behavioral Model.
119	Latessa	Discusses a cognitive behavioral approach.
221	Chair Williams	Asks what programs are most successful.
239	Latessa	Explains that programs need to be assessed for success rates.
313	Chair Williams	Asks if they passed legislation to implement the standards for programs or was that done administratively.
315	Latessa	Answers that most states did it administratively.
TAPE 29, A		
003	Latessa	Continues discussion on recidivism.
009	Rep. Jenson	Asks if they place the high-risk and low-risk groups together in programs.
019	Latessa	Says, yes.
021	Rep. Jenson	Asks if they ever separate the high and low-risk groups.
023	Latessa	Answers that good programs try to keep low-risk groups away from the high-risk groups.
035	Rep. Jenson	Inquires about the DARE (Drug Abuse Resistance Education) programs. Stresses that it is very important to his community.
038	Latessa	States that the DARE programs are unsuccessful and do not reduce drug use in teenagers. Explains.
075	Vice-Chair Anderson	Asks if counseling is most effective in treating offenders.
079	Latessa	Says that intervention at the end is the most effective.
093	Vice-Chair Anderson	Wonders about private prisons and wings of prisons.
097	Latessa	Answers that wings of prison are no different than state prisons. Adds that private prisons are not programs that he would recommend. Says that they are a business, wanting to make money.
122	Chair Williams	Adjourns the meeting at 3:05 p.m.

EXHIBIT SUMMARY

A – LC 57-2, submitted by staff, dated 1/24/03, 7 pgs.

B – LC 1588-2, submitted by staff, dated 1/10/03, 5 pgs.

C – HB 2409, -1 amendments, submitted by staff, dated 2/10/03, 1 pg.

D – HB 2409, written testimony and amendments, submitted by Jim Nass, Oregon Judicial Department, dated 2/10/03, 2 pgs.