

SENATE COMMITTEE ON JUDICIARY

April 04, 2001 Hearing Room 343

1:00 p.m. Tapes 86-87

MEMBERS PRESENT: **Sen. John Minnis, Chair**
 Sen. Peter Courtney, Vice-Chair
 Sen. Ginny Burdick
 Sen. Verne Duncan
 Sen. Steve Harper
 Sen. Rick Metsger

MEMBER EXCUSED: **Sen. Roger Beyer**

STAFF PRESENT: **Marilyn Odell, Counsel**
 Andrea Shartel, Counsel
 Jane Bodenweiser, Committee Assistant

MEASURE/ISSUES HEARD: **SB 81 Public Hearing**
 SB 657 Work Session
 SB 704 Work Session

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 86, A		
003	Chair Minnis	Calls the meeting to order at 2:08 p.m. and opens a public hearing on SB 81.
<u>SB 81 PUBLIC HEARING</u>		
007	Dale Penn	Marion County District Attorney Testifies in support of SB 81 that allows certain persons charged with domestic violence misdemeanors to enter into domestic violence deferred sentencing agreements.
045	Katy Yetter	Oregon Coalition Against Domestic and Sexual Violence Submits testimony and testifies in support of SB 81 (EXHIBIT A). Says that this bill will create standards for batterer intervention programs and supervision of offenders. Says it also has the potential to increase public safety.
073	Hardy Myers	Attorney General Testifies in support of SB 81 and addresses Section 6, Page 4 of the bill that directs the development of standards for batterer intervention programs. Feels there is genuinely a need for the development of standards around such a program.
097	Chair Minnis	Asks how one develops standards.
098	Myers	Replies that the first step would be to create an advisory committee within the requirements of the bill itself. Says there are standards already in place that have been developed by other states.

117 Sen. Duncan Asks the attorney general what he was referring to when he talked about the bad programs available.

122 Myers Replies that there are some approaches to batterer intervention (such as anger management) that are not effective.

132 Penn States that some states have adopted standards in statute and feels this is not a good idea. Describes other options that came out of the work group involved in developing SB 81.

149 Sen. Duncan Concurs that statute is not appropriate, as it does not allow for flexibility.

155 Penn Discusses the three major components of SB 81 that were studied by the work group.

227 Chair Minnis Asks about being eligible only once for the deferred sentencing program as stated on page 1, line 15 of the bill.

235 Penn Replies there would be a review of case history to decide if a person fit the criteria for the program.

253 Chair Minnis Asks about the “only once” part of the clause and wonders if it is unclear.

256 Penn Replies that he believes that it means only once in a person’s lifetime and agrees that it is unclear as written.

306 Penn Continues to interpret the bill. Talks about the prohibitions. Introduces the –1 amendments (**EXHIBIT B**) and explains how they would affect the bill.

TAPE 87, A

141 **Kevin Mannix** **Salem, OR**
 Testifies in support of SB 81. Explains that he participated in the work group that developed the bill and says that even if adjustments are needed, it should to be put into the substantive law.

155 Chair Minnis Asks about fees charged.

157 Penn Replies that there would be a fee for the intervention program that could amount to roughly \$500.

198 Chair Minnis Closes the public hearing on SB 81 and opens a work session on SB 657.

SB 657 WORK SESSION

212 Counsel Odell Introduces SB 657, which allows a county sheriff to seek payment of amounts owed by prisoners through the Department of Revenue. Says the –3 amendments (**EXHIBIT C**) combine the –1 and –2 amendments.

246 **Sen. Duncan** **MOTION: Moves to ADOPT SB 657-3 amendments dated 4/4/01.**
VOTE: 5-0-2
EXCUSED: 2 - Beyer and Harper

255 **Vice Chair Courtney** **MOTION: Moves SB 657 to the floor with a DO PASS AS AMENDED recommendation.**
VOTE: 5-0-2
EXCUSED: 2 - Beyer and Harper

258 **Chair Minnis** **Hearing no objection, declares the motion CARRIED.**
SEN. DUNCAN will lead discussion on the floor.

269 Chair Minnis Closes the work session on SB 657 and opens a work session on SB 704.

SB 704 WORK SESSION

279	Charles Stearn	Yamhill County Clerk Testifies in support of SB 704. States that the County Clerks Association has developed a couple of amendments that are coming from Legal Counsel as the -1 amendments (EXHIBIT D). Explains how the amendments affect the bill.
368	Sen. Duncan	MOTION: Moves to ADOPT SB 704-1 amendments dated 4/4/01. VOTE: 5-0 EXCUSED: 2 - Beyer and Harper
372	Chair Minnis	Hearing no objection, declares the motion CARRIED.
377	Sen. Duncan	MOTION: Moves SB 704 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 5-0-2 EXCUSED: 2 - Beyer and Harper
384	Chair Minnis	Hearing no objection, declares the motion CARRIED. SEN. SHIELDS will lead discussion on the floor.
388	Chair Minnis	Closes the work session on SB 704 and adjourns the meeting at 3:06 p.m.

Submitted By,

Reviewed By,

Reviewed By,

Jane Bodenweiser,
Committee Assistant

Andrea Shartel
Counsel

Marilyn Odell,
Counsel

EXHIBIT SUMMARY

- A – SB 81, written testimony submitted by Katy Yetter, dated 4/4/01, 1 p**
- B – SB 81, -1 amendments submitted by staff, dated 4/4/01, 2 pp**
- C – SB 657, -3 amendments submitted by staff, dated 4/4/01, 4 pp**
- D – SB 704, -1 amendments submitted by staff, dated 4/4/01, 2 pp**