

HOUSE COMMITTEE ON JUDICIARY

SUBCOMMITTEE ON CRIMINAL LAW

February 3, 1997 Hearing Room 357

3:15 PM Tapes 16 - 17

MEMBERS PRESENT:

Rep. JOHN MINNIS, Chair

Rep. JO ANN BOWMAN, Vice-Chair

Rep. PETER COURTNEY

Rep. FLOYD PROZANSKI

Rep. LANE SHETTERLY

Rep. RON SUNSERI

Rep. LARRY WELLS

MEMBER EXCUSED:

STAFF PRESENT:

SCOTT LUMSDEN, Counsel

BRIAN HIGGINS, Administrative Support

MEASURE/ISSUES HEARD:

Public Hearings on HB 2229 and HB 2232

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 16, A		
006	Chair Minnis	Calls meeting to order at 3:20 pm
<u>HB 2229 - PUBLIC HEARING</u>		

008	Chair Minnis	Opens public hearing on HB 2229
010	Michael Marcus	District Judge, Multnomah County >submits and summarizes written testimony and proposed amendments in support of measure, (EXHIBIT A)
060		Continues testimony
125		Continues testimony
140	Chair Minnis	What would happen if bill passes as far as data collection?
144	Marcus	Responds that Department of Corrections would be responsible for collecting and disseminating data >mentions companion bill of HB 2232 >data intended to be available to everyone
183	Chair Minnis	Asks for clarification of whether this legislation sets up a separate collection agency to gather information from all counties
187	Marcus	Responds that this information is necessary in order to judge effectiveness of corrections programs >mostly collected under CEGIS >need to pursue rational public safety
219	Vice Chair Bowman	Is Department of Corrections the appropriate agency to evaluate this information?
236	Marcus	Nothing in bill requires analysis only collection >Data is to be available for anyone who wants to take and analyze it.
279	Chair Minnis	Does the bill require uniform collection of data?
281	Marcus	State Police will be responsible for setting protocol.
299	Chair Minnis	This bill is largely policy directed, correct?
304	Marcus	It looks for us to be able to make more effective decisions.
308	Chair Minnis	Why not set deadlines with financial implications for failure to comply?
318	Rep. Shetterly	Asks for clarification on budget note requirement
324	Vice Chair Bowman	Expresses concern that we are creating an entirely new system requiring an interlink costing billions of dollars
344	Chair Minnis	We must be reminded to determine only whether it is good public policy or not.

356	Rep. Shetterly	Expresses view that the system appears much simpler
364	Chair Minnis	Explains effect of unified accounting system across state agencies per a 1967 state law >goal is to gather the information
386	Marcus	Responds that there is difference between social policy and cost >need to ensure people know what success is >don't need penalties to motivate
428	Chair Minnis	In many instances, we seem to make little progress.
TAPE 17, A		
<u>HB 2232 - PUBLIC HEARING</u>		
010	Chair Minnis	Opens public hearing on HB 2232
015	Michael Marcus	Explains HB 2232 as companion piece of legislation to HB 2229 >submits and summarizes testimony in support of HB 2232, (EXHIBIT B)
065		>continues testimony
074	Rep. Wells	Comments that there appears to be satisfaction as to where we get our information
081	Marcus	Responds that the experts are in academia >None of the reporting comes from front-line people. >cites presentation made by National Institute of Justice in December, 1996 >comments that sentencing is futile without being able to analyze raw data (CEGIS)
131	Vice Chair Bowman	Do we not have recidivism data already? >sounds like the issue is what we do with the data not collecting it
138	Marcus	We have data about the failures but not a manner of correlating them with the programs they went through.
<u>HB 2229 - PUBLIC</u>		

HEARING		
154	Chair Minnis	Reopens public hearing on HB 2229
156	Michael Bouchard	Former Corrections client
		>comments that advisory board does not have balance of point of view of ex-offenders >bill does not mention any agencies outside of Corrections which does not allow for objectivity
194	Chair Minnis	How often is the opinion of inmates' asked for?
198	Bouchard	Responds that there is not many, but that there are inmates who want to be involved
215	Chair Minnis	Is there any value in asking their opinion?
216	Bouchard	Yes, I believe so.
226	Rep. Wells	Are we talking about exit interviews?
230	Bouchard	Really, three interviews.
244	David Cook	Director, Department of Corrections
		>submits and summarizes testimony in support of HB 2229, (EXHIBIT C) >Additional resources may be necessary as this is not in Governor's Department of Corrections budget.
309	Rep. Shetterly	Is that process acceptable to Judge Marcus?
314	Cook	We need to act on this rapidly, in the next few months >suggests there needs to be a gathering of the parties >look at effects on local governments
336	Vice Chair Bowman	Asks about the length of process before full implementation
352	Cook	Much of collection of data already exists, but the link may not be there.
392	Vice Chair Bowman	What is the current process to evaluate the effectiveness of the programs?
399	Cook	Responds that it is difficult to know exactly how effective programs are even with evaluation
430	Chair Minnis	Has there been any work done to see if there are any federal grants available for a workgroup?
TAPE 16, B		

017	Cook	I don't know that we've looked to see if there are other dollars available.
024	Chair Minnis	Can't you do these things without the bill?
025	Cook	Although I am in favor of this bill, I understand that we need to build resource capacity
<u>HB 2232 - PUBLIC HEARING</u>		
033	Chair Minnis	Reopens public hearing on HB 2232
035	David Cook	Director, Department of Corrections >submits and summarizes testimony in support of HB 2232, (EXHIBIT D)
<u>HB 2229 - PUBLIC HEARING</u>		
061	Chair Minnis	Reopens public hearing on HB 2229
065	Lt. John Tawney	Manager, State Police Criminal Justice Information Systems Program >introduces Major Jim Willis, Bureau Commander of Intergovernmental Services Bureau >in support of amendments to HB 2229 >bill establishes changes to CEGIS program >Judge Marcus' amendments eliminate any concerns we have.
084	Chair Minnis	Asks about fiscal impact on agency
086	Tawney	Comments that there would be none
087	Chair Minnis	Why is that?
088	Tawney	Responds that main thrusts are strengthening CEGIS program and increasing members >currently funded through base budget
093	Vice Chair Bowman	Asks for clarification on the [CEGIS] program
095	Tawney	Responds that legislative purpose is to provide a forum for state criminal justice agencies
101	Vice Chair	How will system be able to effectively respond to mandates of

	Bowman	bill without creating a system which interprets the data?
110	Tawney	Much of this is already in place.
124	Karen Brazeau	Deputy Director, Oregon Youth Authority >submits and summarizes written testimony in support of HB 2229, (EXHIBIT E)
170	Chair Minnis	This means what?
171	Brazeau	We are in support of the bill, but we do not have a system to contribute either to the data or the analysis.
173	Chair Minnis	What is the timeline for the creation of the system?
175	Brazeau	We would have had a system functional in five years. >incremental implementation
185	Chair Minnis	Isn't it possible to hook up to the LEDS system?
187	Brazeau	We use the data, but LEDS is not a management nor tracking system.
193	Chair Minnis	Is it a mini-computer or mainframe?
194	Brazeau	I don't know.
198	Chair Minnis	Comments on piggy-backing the existing system
200	Brazeau	We did have members of the State Police on our steering committee.
217	Rep. Prozanski	Asks for clarification of five years and which agencies were involved.
220	Brazeau	The reality is that it wouldn't work very well which is why we have proposed a slower version.
232	Vice Chair Bowman	What type of data are you collecting which would be useful?
234	Brazeau	As a result of SB 1, counties agreed on a single definition of recidivism for which rates could be compared. >also the data that has been a result of Measure 11
258	Scott Taylor	Assistant Director, Department of Corrections, Community Corrections Division >current program is a national model >System gathers a great deal of information for which we are building a tracking system. >LEDS is currently tied into the system
321	Chair Minnis	How about capacity to add on?
323	Taylor	We just added more capacity and have an ability to expand.

336	Phil Lemman	<p>Executive Director, Criminal Justice Commission</p> <ul style="list-style-type: none"> >does not have formal position on bill, but is supportive of intent >comments re: Section 1, juvenile data to be comparable to adult data >This bill, in a broad sense, does draw some parameters on recidivism. >Comments on Section 3, regarding committee appointments >Section 8, assumption is that data is structured so that information can be tracked across lines
403	Michael Marcus	<p>District Court Judge, Multnomah Co.</p> <ul style="list-style-type: none"> >would favor workgroup as alternative to bill, before the bill, or in addition to this bill in reverse order >Committee should be careful to understand that many problems already exist due to current law.
TAPE 17, B		
010	Marcus	<ul style="list-style-type: none"> >Real purpose is public safety. >not trying to change people's roles only ability to be able to learn from data >need to do a better job of diverting people from the criminal justice system
035	Chair Minnis	Comments on benefit of setting up a workgroup
043	Cook	<p>Responds that the workgroup becomes part of the process, but in retrospect would like to see it pre-passage</p> <ul style="list-style-type: none"> >have had success with using this model with SB 1145
053	Chair Minnis	Confirms that the suggestion is for a preliminary workgroup.
056	Cook	That would be the place to start, yes.
057	Chair Minnis	How many participants should be involved and who will take the lead?
059	Cook	We will take the lead on this.
062	Chair Minnis	Discusses target date to come back with results of workgroup
073	Rep. Wells	Where do the amendments fit in?
074	Chair Minnis	Those will need to still be discussed.

078	Rep. Shetterly	Comments that other players are involved
081	Chair Minnis	We will set this for a Possible Work Session four weeks from now.
086	Lemman	Offers comments in regards to HB 2232
094	Chair Minnis	Where do we get a copy of the report? >asks about role of academia
105	Marcus	Comments that Gary Pearlstein from PSU, and the National Institute of Justice are involved
119	Chair Minnis	I am thinking they may have some value in questioning some of the statements made by agencies.
123	Marcus	It may be worthwhile to bring Pearlstein from PSU to the table.
129	Chair Minnis	Declares meeting adjourned at 4:52

Submitted by, Reviewed by,

BRIAN HIGGINS, SCOTT LUMSDEN,

Administrative Support Counsel

EXHIBIT SUMMARY

A - HB 2229, Written testimony and proposed amendments, Judge Michael Marcus, 4 pp.

B - HB 2232, Written testimony, Judge Michael Marcus, 1 p.

C - HB 2229, Written testimony, David Cook, 3 pp.

D - HB 2232, Written testimony, David Cook, 2 pp.

E - HB 2229, Written testimony and information system description materials, Karen Brazeau, 7 pp.