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SENATE COMMITTEE ON CRIME & CORRECTIONS

April 21, 1997 Hearing Room B

1:00 P.M. Tapes 78 - 80

MEMBERS PRESENT:

Sen. Shirley Stull, Chair

Sen. Jeannette Hamby, Vice-Chair

Sen. Avel Gordly

Sen. Eileen Qutub

Sen. Veral Tarno

Sen. Cliff Trow

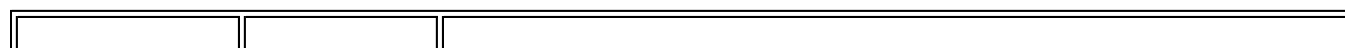
STAFF PRESENT:

Nikola Jones, Counsel

Julie Clemente, Administrative Support

MEASURE/ISSUES HEARD: Public Hearing: SB 242, SB 1054

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 78, A		
004	Chair Stull	Opens meeting at 1:08 p.m.
<p><u>OPENS PUBLIC HEARING ON SB 242</u></p>		
006	Neil Bryant	State Senator representing District 27. Submits written testimony in support of SB 242. [Exhibit C]
063	Sen. Gordly	Would it be accurate to say that you see this approach complementing the Governor's Juvenile Crime Prevention Program?
068	Bryant	Absolutely. Continues.
100	Scott Johnson	<p>Director, Deschutes County Commission on Children & Families. Presents written testimony in support of SB 242 [Exhibit D] and proposed SB 242-3 amendments [Exhibit E]</p> <ul style="list-style-type: none"> >Demonstration model through June 30, 2003 >Guiding principles >Consolidated grant >Phase in period >Evaluation component >Support for concepts - Governor and OYA
124	Steve Tiktin	<p>Presiding Circuit Judge, Eleventh Judicial District. Testifies in support of SB 242. Discusses four reason he supports the bill.</p> <ul style="list-style-type: none"> >public safety has to be priority >court's use of local option when in best interest of youth >Public Safety Council's active role
171	Tiktin	<p>Continues testimony. Some aspects of the local program can make it effective.</p> <ul style="list-style-type: none"> >National Center for Juvenile Justice's involvement by reviewing program
		<p>Retired Public Safety Official; Chair, Commission on Children & Families. Testifies in support of SB 242.</p> <p>Discusses background in law enforcement and current community</p>

217	Cal Krosch	involvement. >importance of new approaches to addressing juvenile crime >introduce and explain "Briefing Packet" >demonstration is an important opportunity
245	Sen. Trow	Present operation inadequate?
	Titkin	Replies. Passed levy resulting in a new juvenile detention center. On line first of next year. Continues.
267	Sen. Trow	Continues questioning for clarification.
283	Sen. Trow	Continues to comment and question for clarification.
287	Johnson	Our county commissioners endorsed a number of the fundamental principles. Continues. >County has gone on record in support of that work.
312	Sen. Trow	Continues for clarification regarding model program. What advantages does your model offer?
	Johnson	Reverses the incentive. Continues.
	Sen. Trow	Continues questioning for clarification.
342	Johnson	Replies. Believe there is a very real potential. Explains.
361	Steve Marks	Governor's Senior Policy Advisor. Submits written testimony regarding SB 242. [Exhibit I] Governor's office takes a neutral position regarding SB 242.
457	Marks	Continues testimony.
TAPE 79, A		
049	Sen. Trow	You don't want it to affect the overall Oregon Youth Authority (OYA) budget negatively. Do we have an idea of the amount of the appropriation?
057	Pam Curtis	Policy Analyst, Governor's Office. Replies. The Youth Authority is prepared to testify on that particular question. Continues.
	Sen. Trow	Questions for clarification. Would the same kind of plan be good for other counties?
	Curtis	That is one of the interests the Governor has laid out for his support of the bill. It needs to be applicable and relevant to all 36 counties.
071	Sen. Gordly	Questions for clarification regarding the possibility to phase in this project.
	Marks	Pam Curtis's testimony speaks to that. OYA is best to comment on the negotiations as to the phase in.
081	Sen. Hamby	Forward this bill down to Ways & Means to take a look?
	Marks	Haven't asked that specific question. Won't change the Governor's position until all details are worked out.

095	Sen. Trow	Comments for clarification.
098	Pam Curtis	Policy Analyst, Governor's Office. Submits written testimony reviewing the policy issues of concern to the Governor related to SB 242 and its implementation. [Exhibit F]
153	Curtis	Continues testimony.
180	Sen. Gordly	Questions for clarification regarding Deschutes County's plan and its time line.
	Curtis	Replies. Deschutes County is actively working on a plan. No discussion regarding a time line. Continues.
182	Chair Stull	Questions for clarification regarding the SB 242 -3 amendments.
	Curtis	No.
	Chair Stull	Questions for clarification regarding the education component.
	Curtis	Separate issue regarding education. Explains.
199	Sen. Gordly	Questions for clarification regarding letter from Governor Kitzhaber to Senator Bryant regarding concerns expressed by the Central and Eastern Oregon Juvenile Justice Consortium.
	Curtis	There is a representative here. I defer to him.
208	Sen. Trow	Refers to SB 242-3 amendments. Suggests that representatives of the governor review them.
	Curtis	Replies. Happy to do that.
219	Jeff Milligan	Central and Eastern Oregon Juvenile Justice Consortium. (CEOJJC) Consortium takes a neutral position. >Governor has laid out some parameters for support of the project and has requested a detailed plan.
	Sen. Gordly	Requests that witness be given a copy of the amendments.
	Denny Maloney	Discusses substance of the -3 amendments from the audience.
259	Sen. Trow	Did you assume that the Governor's office had seen them?
	Johnson	Replies. Did not realize that it was our responsibility to give them to the Governor's office.
210	Milligan	Consortium is a group of 17 counties so can only comment in general if they have not seen the material. >16 other counties in the region depend on a regional approach to share resources in partnership with the OYA >Strongly supports the need to balance the build-up of state close custody resources with the capacity of counties to manage delinquent youth in their own communities as long as community safety is not compromised. >stands ready to work with Deschutes County and the OYA in

		development of the Governor's plan
296	Milligan	Concerns of CEOJJC can be worked out.
305	Sen. Gordly	Questions for clarification concerns of CEOJJC referred to in the Governor's letter.
	Milligan	Replies: Consortium has been a group to share resources across regional lines. County commissioners have been concerned that this project doesn't take away from that shared development of resources. Continues.
345	Chair Stull	Questions for clarification regarding on-going meetings since the interim and their involvement.
	Milligan	Yes. We feel we are a part of that process. Continues.
369	Barbara Carranza	Coordinator, Juvenile Justice and Delinquency Prevention. Presents written testimony in support of SB 242. [Exhibit G]
TAPE 78, B		
029	Carranza	Continues testimony.
040	Rick Hill	Director, Oregon Youth Authority. Presents written testimony in support of the concept outlined in SB 242. [Exhibit H] >makes reference to SB 242-1 amendments - [Exhibit A]
092	Sen. Gordly	Questions for clarification regarding the 'phase in' approach.
	Hill	Replies. Part of the details we don't have. Continues.
	Sen. Gordly	Continues for clarification regarding bed cost.
	Hill	Replies
120	Sen. Trow	Questions regarding costs.
	Hill	That would depend on the success of the program. Continues.
133	Karen Brazeau	Deputy Director, Oregon Youth Authority. Answers Sen. Trow's question regarding differences between SB 242 and SB 943. >This project would get a jump on what is proposed in SB 943. Explains.
151	Sen. Trow	Youth will move from the prison to the community?
	Brazeau	Replies. Yes.
157	Brazeau	Continues testimony. Refers to written testimony. [Exhibit H] Continues. >First change, bottom first page.
190	Brazeau	Continues testimony. >Bottom of page 2.
208	Chair Stull	Questions for clarification regarding average length of stay.
	Hill	Replies. 6.5 months - continues.

	Chair Stull	Continues for clarification regarding time line.
	Brazeau	Replies. Date unknown.
226	Chair Stull	Continues questioning for clarification.
	Hill	Can provide you with a list of offenders with their commitment offenses and the number of times in the system. Continues.
258	Sen. Trow	Questions benefits for the rest of the state.
	Hill	Replies. Benefits for rest of the state are long term if they are patient. Explains.
	Sen. Trow	Questions regarding improvement of young people's behavior.
277	Brazeau	Replies. Encourages counties to manage their youth in a different way. Explains.
	Sen. Trow	Continues questioning for clarification.
306	Chair Stull	Speaks of her concerns and questions for clarification.
	Hill	Replies. The model and concept very similar. Continues.
339	Chair Stull	Continues her comments regarding the public safety standpoint and inadequate resources.
354	Sen. Hamby	Questions average length of stay.
	Hill	Stay currently for juveniles is 6.5 months.
	Sen. Hamby	Cost per day?
	Hill	Replies: Average is \$111 per day. Continues.
	Sen. Hamby	Continues questioning for clarification regarding savings to counties being innovative.
	Brazeau	Youth Authority has been working on the Governor's crime prevention strategy. Continues.
398	Sen. Hamby	Continues: Did you discuss the conflict of a recent suit in Deschutes County regarding the Central Oregon Training and Evaluation Facility (COTEF) properties?
	Hill	Replies: Did not discuss. Listed as one of the items in the Governor's letter. Continues.
421	Nancy Miller	Director, Citizens Review Board. Representing the State Court Administrator's Office. Testifies that the judicial branch as a whole does not have a policy position on this bill. Discusses technical issues for consideration. >Concerns regarding -3 amendments and the issue of deciding where the youth offender will be placed.
TAPE 79,B		
		Cautions that one must be very careful with wording. Stay away from the word 'placement' and use the word 'commitment'. >other issue, page 5, - 3 amendments

023	Miller	>Refers to another project on line in 1993. In that legislation, specific language bars the transfer of judicial department and branch resources without the express permission of the Administrator. >would like the bill to include the same language as ORS 417.839(2). Will provide that language to counsel.
058	John Pendergrass	Administrator, Juvenile Corrections Education Programs, Oregon Department of Education Office of Special Education. Department takes no position on concept, but will oppose the creation of another category of young people. Explains. >funding is provided by statute - OYA facilities >existing statutes are adequate to provide funding
091	Chair Stull	Questions for clarification regarding certain funding. Two categories?
	Pendergrass	Replies. That is correct. Explains.
117	Chair Stull	Continues for clarification: Just a situation creating a new category or a new situation with a new fiscal impact?
	Pendergrass	Recommends that the bill be silent. Explains.
128	Sen. Trow	Questions for clarification regarding 'silent statutes'.
	Pendergrass	Replies. If silent, we will not have to work anything out. Continues.
138	Sen. Gordly	What is the opposition?
	Pendergrass	Replies and explains regarding -3 amendments >develop new financial contracts to disburse funds
156	Sen. Hamby	Still confused. Questions for clarification.
	Pendergrass	Replies. The local district has to provide the service. Continues.
<u>CLOSES PUBLIC HEARING ON SB 242</u>		
<u>OPENS PUBLIC HEARING ON SB 1054</u>		
179	DeeDee Kouns	President, Crime Victims United. Testifies in support of SB 1054. SB 1054 establishes an Office of Crime Victims' Ombudsman in the Department of Consumer and Business Services. Appropriates funds from the General Fund. >believes bill is a win, win bill for everyone >victims see more concern for offenders and their families
		Continues. All of these issues are important in our society.

214	Kouns	<p>>without safety provided for our children, we cannot have successful programs</p> <p>>victims need information to access the system</p> <p>>office would be eligible for grant money</p>
289	Bob Kouns	<p>Legislative Representative, Crime Victims United. Discusses the need and importance to have someone to help negotiate.</p> <p>>one function would be to monitor legislation and to present the victim's prospective</p> <p>>alert victim's organizations there is legislation pertinent to their interests</p>
343	Kouns	What we are asking for is really minimal.
352	Steve Eckstrom	<p>Coordinator, Advocacy Services, Department of Community, Trade and Economic Development, Office of Crime Victims Advocacy, Washington State. Submits brochures. [Exhibit J] Associated with department since its inception in 1990 and gives some personal background. Relates some history regarding the need for this type of organization and how it came about.</p> <p>>went to the communities and asked what was needed - wasn't enough to help crime victims</p> <p>>task force recommended creation of the Office of Crime Victim's Advocacy to provide a voice for crime victims in state government</p>
408	Eckstrom	Governor issued executive order placing it in the Department of Community Development.
TAPE 80, A		
018	Eckstrom	<p>Focuses on the ombudsman aspects:</p> <p>>toll free phone line - 200 calls per month</p> <p>>looking for services: counseling, support groups, assistance through the legal process</p> <p>>contact and link them to a local resource if possible</p>
068	Sen. Hamby	Questions for clarification regarding fiscal impact.
083	Sen. Tarno	Does Washington have the equivalent to the Oregon Victim Assistance Program?
	Eckstrom	Yes. Continues.
089	Sen. Hamby	Are you allowed to investigate any action of a criminal justice system agency?

	Eckstrom	We don't have that particular authority in statute. Continues.
107	Chair Stull	Comments for clarification.
113	Sen. Qutub	Questions for clarification regarding passing funds through to victims.
	Eckstrom	Grant money. Explains
	Sen. Qutub	Continues questioning.
135	Sen. Tarno	Questions training and asks for information.
	Eckstrom	Happy to do that.
142	D. Kouns	Suggests contacting Mary Ellen Johnson, Director, Victim's Compensation Office regarding training.
160	Eckstrom	Continues: In terms of the benefit to state government, we act as consultants.
	Chair Stull	Comments.
172	B. Kouns	Comments on Measure 40, Crime Victim's Rights >this measure is very much in the ethic put forward by Measure 40 >office is really needed - would render a great service to Oregon
197	D. Kouns	Comments on passing of Measures 47 and 5. >urges Committee not to just look at money - office will save far more in actual dollars and public opinion than it will cost
216	Nikola Jones	Committee Counsel. Refers to preliminary impact from the Department of Consumer and Business Services. Contains a suggestion to move this office to different agency. Impact for 1997/99 is about \$329,000, well above \$50,000.
227	R. Kouns	Comments. Asks if office rent included in impact.
	D. Kouns	Comments: Doesn't have to be in that particular department. >office must be independent >must be non-partisan
249	Jones	Do have a representative from the Department of Consumer and Business Services in the audience.
	Chair Stull	Comments regarding capital outlay.
277	Mary Ellen Johnson	Director, Crime Victim Assistance Section, Department of Justice. Testifies in support of SB 1054. Department supports concept in SB 1054. >office would qualify for funds >requirement for the use of volunteers
	Chair Stull	Questions possibility of funding regarding time line.

297	Johnson	In process of writing proposal. Continues. >office needs to be located in a neutral department
325	Timothy Travis	Juvenile Rights Project. Testifies in support of SB 1054. >Victims would really be helped by a ombudsman. Could build bridges between the agency and other services to help abused and neglected kids. Continues. >young victims are at risk for all kinds of problems >many abused kids are not in the Services for Children and Families (SCF) system and are trying to make their own connection to services >ombudsman could pull all of this together
<u>CLOSES PUBLIC HEARING ON SB 1054</u>		
	Chair Stull	Declares meeting adjourned at 3:25 p.m.

Submitted by, Reviewed by,

Julie Clemente, Nikola Jones,

Administrative Support Counsel

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EXHIBIT SUMMARY

A - Proposed SB 242-1 Amendments - Staff - 4 pgs

B - Proposed SB 1054-1 Amendments - Staff - 1 pg

C - Testimony in Support of SB 242 - Senator Neil Bryant - 2 pgs

D - Testimony in Support of SB 242 - Scott Johnson - 14 pgs

E - Proposed SB 242-3 Amendments - Scott Johnson - 6 pgs

F - Testimony Regarding SB 242 - Pam Curtis - 3 pgs

G - Testimony in Support of SB 242 - Barbara Carranza - 1 pg

H - Testimony in Support of Concept of SB 242 - Karen Brazeau - 3 pgs

I - Testimony Regarding SB 242 - Steve Marks - 2 pgs

J - Brochures Regarding Concept of SB 1054 - Steve Eckstrom - 16 pgs

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SENATE COMMITTEE ON CRIME & CORRECTIONS

April 21, 1997 Hearing Room B

5:15 P.M. Tapes 81 - 82

MEMBERS PRESENT:

Sen. Shirley Stull, Chair

Sen. Avel Gordly

Sen. Eileen Qutub

Sen. Veral Tarno

Sen. Cliff Trow

MEMBER EXCUSED: Sen. Jeannette Hamby, Vice-Chair

STAFF PRESENT:

Nikola Jones, Counsel

Julie Clemente, Administrative Support

MEASURE/ISSUES HEARD: Public Hearing & Work Session: SB 780

Public Hearing: SB 425, SB 693, SB 375

Work Session: SB 405

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Tape/#	Speaker	Comments
Tape 81, A		
004	Chair Stull	Opens meeting at 5:28 P.M.
<u>OPENS WORK SESSION ON SB 405</u>		
009	Nikola Jones	Committee Counsel. Reviews SB 405-2 amendment [Exhibit C] >Amendment replaces bill - makes sure the punishment fits the crime
039	Sen. Tarno	Comments for clarification.
044	Sen. Tarno	MOTION: Moves to ADOPT SB 405-2 amendments dated 03/27/97.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Sen. Hamby
	Chair Stull	The motion CARRIES.
048	Sen. Tarno	MOTION: Moves SB 405 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Sen. Hamby
	Chair Stull	The motion CARRIES. SEN. FISHER will lead discussion on the floor.
<u>CLOSES WORK SESSION ON SB 405</u>		
<u>OPENS PUBLIC HEARING ON SB 780</u>		

063	Kevin Campbell	Governmental Affairs Representative, Oregon Association Chiefs of Police. Submits written testimony in support of SB 780. [Exhibit F]
111	Glen Rader	Lieutenant, Oregon State Police, Patrol Services Division. Presents written testimony in support of SB 780. [Exhibit G]
152	Rader	Continues testimony.
167	Sen. Tarno	Comments and questions for clarification. >"Who reasonably believes"? Laying a foundation?
	Rader	Correct. Continues.
187	Sen. Gordly	Do we have any data that gives us the frequency of these kinds of violations?
	Rader	Replies. According to a DMV survey, 66% of those driving while suspended admitted to doing so.
201	Chair Stull	How fast does the correction get updated in the DMV system?
	Rader	That is why we requested 'may be' instead of 'shall'. Sometimes there is a delay. Continues.
213	Sen. Trow	Questions for clarification the 'reasonably believes' wording.
	Rader	I do believe that. Continues.
227	Patrick Nelson	Captain, Traffic Division. Testifies in support of SB 780. Discusses problems involved with driving without proper insurance and licenses. People do get insurance papers even though they have no right to drive. >problem of driving without a license is greater than no insurance >worse drivers >tow same car multiple times for driving with no insurance - asking for a fee increase when same car is towed for the 3rd time >talks of drivers not having a license within the past 180 days - or never having a license >more care with proof of insurance, but drivers had no license or license was suspended >will result in few appeals
282	Nelson	Continues: Speaks of surveys in Portland. >currently tows in excess of 3,800 cars per month >estimate 1,200 to 1,600 additional cars every month

		>gives statistics for Committee regarding citations
332	Nelson	Continues testimony - >these are our worse drivers - everyone had proof of insurance >asking to stop further actions on driving - take away the automobile
390	Nelson	Loss of a vehicle has a real enhanced effect
415	Sen. Gordly	Questions statistics for the rest of the state.
	Campbell	Sure there are statistics. Explains.
TAPE 82, A		
021	Sen. Gordly	We need to get better at gathering the data that will give us a clear policy direction. Continues.
031	Frank Brawner	Oregon Banker's Association and Independent Community Banks of Oregon. Testifies in support of SB 780 especially with the -3 amendments. Speaks of the Oregon Forfeiture Act. >impoundment bill >uniformity across the state - notifies everyone including the lienholder in a timely manner >Forfeiture found on page 109, volume 3, Oregon statutes
074	Sen. Tarno	Questions witness
	Brawner	Explains
081	Nikola Jones	Committee Counsel. Reviews amendments and explains the difference. >SB 780-2 [Exhibit A] >SB 780-3 [Exhibit E]
<u>CLOSES PUBLIC HEARING ON SB 780</u>		
<u>OPENS WORK SESSION ON SB 780</u>		
070	Sen. Tarno	MOTION: Moves to ADOPT SB 780-3 amendments dated 04/21/97.
115	Sen. Gordly	Happy to support the bill. Questions for clarification the lack of supporting data and the need for such data on measures in the future.
085		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.

		EXCUSED: 1 - Sen. Hamby
	Chair Stull	The motion CARRIES.
089	Sen. Tarno	MOTION: Moves SB 780 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Sen. Hamby
	Chair Stull	The motion CARRIES. SEN. STULL will lead discussion on the floor.
<u>CLOSES</u> <u>WORK</u> <u>SESSION ON</u> <u>SB 780</u>		
<u>OPENS</u> <u>PUBLIC</u> <u>HEARING ON</u> <u>SB 425</u>		
141	Kevin Campbell	Governmental Affairs Representative, The Oregon Association Chiefs of Police. Testifies in support of SB 425. Mutual Aid Peace Officer Power Act. Find ways to encourage cooperation across state lines with law enforcement. Here to introduce the concept.
157	Sen. Gordly	Give me an illustration on how this would work.
	Campbell	There are two situations in which cooperation occurs with law enforcement. Explains. >fresh pursuit - provides for a safe place >mutual aid agreements
191	Sen. Trow	Comments for clarification regarding the President's visit. Had to stop in Vancouver to change police escort.
<u>CLOSES</u> <u>PUBLIC</u> <u>HEARING ON</u> <u>SB 425</u>		
<u>OPENS</u> <u>PUBLIC</u>		

HEARING ON SB 693		
215	Kevin Campbell	Governmental Affairs Representative, Oregon Association Chiefs of Police. Presents written testimony in support of SB 693. [Exhibit H]
220	Sen. Tarno	Questions for clarification regarding the number of people required to transport a mentally ill patient.
	Campbell	Replies. I believe that is correct.
	Sen. Tarno	Comments for clarification.
	Madeline Olson	Assistant Administrator, Mental Health Services, Mental Health & Developmental Disability Services Division. Replies. Transported against their will.
270	Campbell	Continues testimony. Calls attention to SB 693-1 amendments. [Exhibit D] >allow for the transfer of custody - alternative transport entity
326	Sen. Gordly	Give me specific examples of 'humaine alternative'.
	Olson	Replies. One of the examples would be Intermountain Transport which is a licensed company who transport persons. Continues.
340	Sen. Gordly	Continues questioning for clarification.
	Olson	Replies. Company that the State of Oregon uses through the Medicaid system. Continues.
	Sen. Gordly	Continues questioning for clarification.
	Campbell	Exactly right. Continues. Move forward with an alternative means of transport. >one of the changes are addressed in the -1 amendments >move forward with the concept
385	Campbell	Continues testimony. >use soft restraints >need additional training >attached is an estimate of state-wide costs - would like you to have a feel for the costs
427	Sen. Trow	Access all over the state to alternate transportation systems.
	Campbell	Replies. Like any service, there is a certain amount of development that needs to occur. >law enforcement will continue if no alternative is available

450	Sen. Gordly	Questions for clarification regarding position of the Oregon Association for the Mentally Ill.
	Olson	They were involved in the work group. >bill is very much in keeping with the work of that group
TAPE 81, B		
032	John McCulley	Oregon Psychiatric Association. Testifies in support of SB 693-1 amendments. [Exhibit D] Good piece of legislation that needs to move forward.
044	Madeline Olson	Assistant Administrator, Mental Health Services, Mental Health & Developmental Disability Services Division. Testifies in support of SB 693 together with -1 amendments.
047	Mike McCracken	Executive Director, Community Mental Health Association. Testifies in support of SB 693-1 amendments. >bill applies to different sets of circumstances - integrated crisis response system >allows us to use different resources
065	Sen. Trow	Questions for clarification regarding the knowledge of the Governor's office and their support.
	Campbell	Yes. Subject to further review. Continues.
	Sen. Trow	Continues questioning for clarification. >definitely a state expenditure >recommends being sent to Ways & Means
083	Sen. Gordly	Questions for clarification. Anyone out there who doesn't think it is a good idea?
	Campbell	Not that I am aware of. Continues.
	Chair Stull	Comments for clarification regarding path to take.
098	Larry Campbell	Oregon Association, Chiefs of Police. Clarifies intent for the Committee. Wants moved through Senate and through to the House with the agreement to Ways & Means at that time. Opportunity to deal with funding this session or next.
112	Sen. Trow	Comments for clarification regarding consistency.
	Campbell	Agrees. With the agreement that it would go to Ways & Means. Continues. >Move the bill with or without the funding
133	Sen. Tarno	Comments for clarification. It does strap the small communities. >create an awareness of the need

	Sen. Trow	Comments: Send to the floor clearly with the understanding not asking for funding, but for the concept. Continues.
158	Sen. Gordly	Replies. Comments on her concerns regarding not being able to fund.
175	Chair Stull	Continues to comment: intention is that it will be directed to Ways & Means >discuss with Co-Chair Timms of Ways & Means for best way to proceed
205	Sen. Trow	Continues to comment for clarification. >bothered by the cost >needs to be considered in Ways & Means
227	Chair Stull	Continues to comment. What do we want to do?
231	Sen. Qutub	Questions for clarification regarding funding. >an amendment or language added to that effect
	L. Campbell	The policy is the important thing to us. Continues. >get the policy established
260	Sen. Trow	Send the bill forward for it to go into effect the next biennium. Continues.
268	Sen. Qutub	Continues to question for clarification
273	Sen. Tarno	Comments for clarification.
	Chair Stull	Continues her comments regarding other revenue streams.
	Sen. Trow	Continues questioning regarding appropriations.
294	Olson	What we hoped to achieve with this is a place in the law where local governing bodies can look at their community. >Gives them the flexibility to say we would prefer to do this or that. >meet the highest priority in their community
312	McCracken	Agrees with Ms. Olson. In formal discussions, have been talking about a pilot project funding. Continues.
336	Glen Rader	Lieutenant, Oregon State Police. Submits written testimony in support of SB 693. [Exhibit I]
353	Campbell	As the bill is written, it would have no fiscal impact. Continues.
	Sen. Trow	Continues comments.
381	Chair Stull	Comments for clarification: shared funding situations >responsibilities are shifted
		Replies. You have transporting persons in crisis without funding.

	Campbell	Continues. >in the absence of money, law enforcement would become the transport of choice
454	Sen. Trow	Comments. A little easier without the amendment. Continues.
	Campbell	Explains reason for the amendment.
TAPE 82, B		
036	Chair Stull	Comments regarding proceeding with bill.
044	Campbell	Replies. Speak with Chair Timms.
	Sen. Gordly	Comments regarding advocacy.
<u>CLOSES PUBLIC HEARING ON SB 693</u>		
<u>OPENS PUBLIC HEARING ON SB 375</u>		
066	Michael W. Dewey	Oregon Cable Telecommunications Association. Testifies in support of SB 375. Discusses cable theft and background. Increases the penalty for theft of services with value under \$50 to maximum imprisonment of six months, \$2,000 fine, or both. >theft of cable service, unlawful distribution of equipment and tampering of cable television equipment >serious problem in Oregon and nationally >need to show that these are serious crimes
103	Dewey	Use our press system to talk about something serious.
107	Sen. Gordly	Comments for clarification: The amnesty programs are not working?
	Dewey	Replies. Need a higher crime to focus attention. Continues. >increase the crime to get their attention
	Sen. Gordly	Continues to question witness for clarification.
	Dewey	Cable companies will do audits from time to time. Continues.
149	Sen. Gordly	Continues her questioning. We need definitive information.
	Dewey	Replies. We know there is a problem. Continues.
	Sen. Gordly	Continues questioning for clarification. What efforts has this Association made to utilize a public information campaign approach?
	Dewey	It would vary with the various cable companies. Continues

172	Sen. Gordly	Has there been a public information campaign?
	Dewey	The Cable Association has not lead that effort. Continues.
187	Chair Stull	Comments for clarification regarding data.
	Dewey	Agrees. You try to predict how long that person has had illegal service.
219	Sen. Qutub	Explain how someone could steal a service.
	Dewey	Explains. >HBO first service to scramble their signal >selling and stealing boxes
256	Sen. Gordly	How many instances of the type you describe occurred in Oregon?
	Dewey	I cannot give you a number.
	Sen. Gordly	Continues for clarification.
	Dewey	Replies.
289	Chair Stull	Continues to comment for clarification.
	Dewey	Replies.
298	Sen. Trow	What do other states do in terms of penalizing this kind of activity?
	Dewey	Almost every state has a specific theft of cable statute. >misdemeanor range
	Sen. Trow	Continues to question witness regarding penalties. >excessive punishment - need more than we currently have
333	Dewey	Couldn't go up a half. Explains.
	Sen. Trow	Continues questioning.
	Dewey	Didn't ask for that language. Continues.
362	Sen. Trow	Continues questioning for clarification.
	Dewey	If they have HBO we want them to pay for it.
<u>CLOSES PUBLIC HEARING ON SB 375</u>		
	Chair Stull	Declares meeting adjourned at 7:17 p.m.

Submitted by, Reviewed by,

Julie Clemente, Nikola Jones,

Administrative Support Counsel

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EXHIBIT SUMMARY

A - Proposed SB 780-2 Amendments - Staff - 1 pg

B - Proposed SB 818-1 Amendments - Staff - 1 pg

C - Proposed SB 405-2 Amendments - Staff - 2 pgs

D - Proposed SB 693-1 Amendments - Staff - 1 pg

E - Proposed SB 780-3 Amendments - Staff - 2 pgs

F - Proposed SB 780-2 Amendments - Staff - 1 pg

G - Testimony in Support of SB 780 - Glen Rader - 3 pgs

H - Testimony in Support of SB 693-1 Amendments - Kevin Campbell - 4 pgs

I - Testimony in Support of SB 693 - Glen Rader - 2 pgs
