

HOUSE COMMITTEE ON JUDICIARY SUB. ON CRIME AND CORRECTIONS

January 25, 1993 Hearing Room 357 3:00 p.m. Tapes 6 - 7

MEMBERS PRESENT: Rep. Tiernan, Chair Rep. Brown Rep. Courtney Rep. Tarno

STAFF PRESENT: Katy Yetter, Committee Assistant Carole Souvenir, Committee Counsel Holly Robinson, Committee Counsel

MEASURES CONSIDERED: HB 2477 - Requires driver to remain at the scene of an accident HB 2478 - Relating to dangerous offender parole HB 2482 - Relating to sex offender registration HB 2483 - Relating to sex offenders as dangerous offenders

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These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. [--- Unable To Translate Graphic ---]

TAPE 6, SIDE A

001 CHAIR TIERNAN: Opens Hearing at 3:00 p.m.

PUBLIC HEARING ON HB 2477

WITNESSES: Rep. Courtney, District 33

006 REP. COURTNEY: Testifies in favor of HB 2477.

NOTE: Chair Tiernan will allow Rep. Courtney to testify on all four bills first.

PUBLIC HEARING ON HB 2478

058 REP. COURTNEY: Testifies in favor of HB 2483.

PUBLIC HEARING ON HB 2482

120 REP. COURTNEY: Testifies in favor of HB 2482.

PUBLIC HEARING ON HB 2483

160 REP. COURTNEY: Testifies in favor of HB 2483. 208 REP. BROWN: Asks if a severe personality disorder is found on a discretionary basis.

210 REP. COURTNEY: Yes, it is on a case-by-case basis. -Opinion is that although there is discretion, the law is tight.

245 CHAIR TIERNAN: Calls for a two minute recess. Hearing reopens at

3:30 p.m.

PUBLIC HEARING ON HB 2477

WITNESSES: Lt. Bill Johnson, Oregon State Police Ross Shepard,
Oregon Criminal Defense Lawyers Association

(OCDLA)

300 LT. BILL JOHNSON, OREGON STATE POLICE: Presents testimony in favor of HB 2477 (EXHIBIT A). -There are some major loopholes in the existing statute dealing with two party accidents.

362 REP. BROWN: Asks Johnson about individuals who are medically unable to make a report.

370 JOHNSON: Replies there exist exceptions to this rule in cases where an individual physically can not make out the report.

390 CHAIR TIERNAN: States that the way the law is now, an individual who gets in a hit-and-run accident while intoxicated can only be charged

with Driving Under the Influence of Intoxicants.

400 ROSS SHEPARD, OREGON CRIMINAL DEFENSE LAWYERS ASSOCIATION: Makes statement on bill. -The reason it came about was that there was a case where a person was

killed in an accident, and the other party did not feel as if they should stay to render aid to a dead person.

PUBLIC HEARING ON HB 2482

WITNESSES: Kathleen Haley, Executive Director, Oregon Psychiatric Security Review Board (PSRB) Arlene Wood, Oregon Alliance for the Mentally Ill, Friends

of Forensic

TAPE 7, SIDE A

032 KATHLEEN HALEY, PSRB: Testifies on HB 2482.

150 ARLENE WOOD, FRIENDS OF FORENSIC: Presents testimony on HB 248 2 (EXHIBIT B).

290 REP. BROWN: Asks Wood who comes under the review board.

300 WOOD: Replies that they are people who have symptoms of mental illness. -Most are under medication and supervision.

PUBLIC HEARING ON HB 2478 WITNESSES: Vern Faatz, Director, Board of Parole Daniel Santos, Board of Parole Denis Dowd, Assistant Director, Department of Corrections

TAPE 6, SIDE B

002 VERN FAATZ, BOARD OF PAROLE: Presents testimony on HB 2478

(EXHIBIT C).

250 DENIS DOWD, DEPARTMENT OF CORRECTIONS: Presents testimony in support of HB 2478 (EXHIBIT D).

CHAIR TIERNAN: Asks about the differences between Goodtime and Sentencing Guidelines.

DOWD: Explains differences and how the bill affects each. -Earned percentage of early release.

TAPE 7, SIDE B

WORK SESSION ON HB 2477

120 REP. BROWN: Would like to add language "The driver should remain at the scene of the accident unless they require necessary immediate medical

care." to Line 26.

150 ROBINSON: Clarifies legal issues of language. Lines 23 through 26 will be deleted and the following inserted: "Remain at the scene of the

accident unless they require necessary immediate medical attention until a police officer has arrived and has received the required information

if all the persons required to be given information under paragraph C

under this subsection are killed in the accident, or unconscious, or

otherwise incapable of receiving the information."

MOTION: REP. BROWN: Moves to ADOPT the amendments to HB 2477 as stated by Holly Robinson.

VOTE: In a roll call vote, all members present vote AYE.

CHAIR TIERNAN: The motion CARRIES.

MOTION: REP. COURTNEY: Moves to pass HB 2477 AS AMENDED to the Full Committee with DO PASS recommendation.

VOTE: In a roll call vote, all members present vote AYE.

CHAIR TIERNAN: The motion CARRIES.

CHAIR TIERNAN: Adjourns meeting at 3:00 p.m.

Submitted by:

Reviewed by:

Katy Yetter

Anne May Committee Clerk

Committee Coordinator

EXHIBIT LOG:

A - Testimony on HB 2477 - Lt. Bill Johnson - 2 pages B - Testimony on
HB 2482 - Arlene Wood - 2 pages C - Testimony on HB 2482 - Vern Faatz -
3 pages D - Testimony on HB 2478 - Denis Dowd - 1 page E - Testimony
on HB 2483 - Vern Faatz - 1 page F - Testimony on HB 2482 - Dean
Renfrow - 6 pages G - Testimony on HB 2482 - R. Linden - 3 pages