

HOUSE COMMITTEE ON JUDICIARY SUBCOMMITTEE ON CRIME AND CORRECTIONS

June 2, 1993 Hearing Room 357 3:00 p.m. Tapes 120 - 121

MEMBERS PRESENT: Rep. Bob Tiernan, Chair Rep. Kate Brown Rep. Peter Courtney Rep. Veral Tarno

STAFF PRESENT: Holly Robinson, Committee Counsel Julie Nolta, Committee Clerk

MEASURES CONSIDERED: SB 249 - Relating to local criminal justice advisory councils SB 227 - Relating to local juvenile justice advisory councils SB 353 - Relating to release of prisoners

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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 120, SIDE A

001 CHAIR TIERNAN: Calls meeting to order at 3:10 p.m.

SB 353 - WORK SESSION

007 HOLLY ROBINSON, COMMITTEE COUNSEL: Allows the Board of Parole and Post-prison Supervision to release an inmate sentenced under the parole matrix who is elderly and permanently disabled earlier than their release date if the prisoner is no longer a threat to public safety and continued incarceration constitutes cruel and inhuman treatment. Gives background on the bill. There are -3 amendments. (EXHIBIT A)

REP. TARNO: If the bill was left as A-engrossed, will there be a need for the A-3 amendments?

060 HOLLY ROBINSON, COMMITTEE COUNSEL: The committee must make a separate policy decision regarding the A-3 amendments. Refers to line 14 of p. 1 of the bill. If the issue is permanent incapacity, the committee could delete "is elderly and."

074 REP. TARNO: Would prefer the language to stay as is.

CHAIR TIERNAN: Would rather keep the language narrow than broaden it.
HOLLY ROBINSON, COMMITTEE COUNSEL: The committee should define "elderly."

089 CHAIR TIERNAN: Asks if it bothers anyone to have an age limit.

097 VERN FAATZ, BOARD OF PAROLE AND POST-PRISON SUPERVISION: Doesn't know how to define it.

HOLLY ROBINSON, COMMITTEE COUNSEL: Concerned about definition of "elderly." Will be up to the Board of Parole to establish rules that carry out the statute.

118 MOTION: REP. TARNO: Moves SB 353 TO FULL COMMITTEE with a DO PASS recommendation.

REP. BROWN: Asks about amendments which address Traci Cummings' concerns.

REP. TARNO: Felt that language in the bill did not apply to those concerns.

REP. BROWN: Discusses Ms. Cummings' concerns.

REP. TARNO: Limitation of bill is too narrow to address those concerns.

135 HOLLY ROBINSON, COMMITTEE COUNSEL: Language in statute already allows the board to take into consideration inmates who are a danger.

REP. BROWN: Then the determining factor is not on the possible terrorization of the victim.

153 VOTE: 4-0 MOTION PASSES AYE: Brown, Courtney, Tarno,
Tiernan NO: None

SB 227 AND SB 249 - WORK SESSION

158 HOLLY ROBINSON, COMMITTEE COUNSEL: SB 227 modifies county juvenile advisory councils. SB 249 requires that local criminal justice councils be established in each county in each judicial district to address methods of coordinating court, indigent defense and related services and resources. Explains A-3 amendments. (EXHIBIT C) There are proposed amendments from the American Federation of State and County Municipal Employees of Oregon (AFSCME). (EXHIBIT D)

211 CHAIR TIERNAN: Concerned that both councils are made up of the same members. Regarding AFSCME's request, this is not a labor management group and it is not appropriate to turn it into a collective bargaining issue.

222 MARY BOTKIN, AFSCME: To eliminate line staff from these commissions eliminates valuable input. Agrees it is not a place for collective bargaining.

243 REP. BROWN: Feels it is critical that staff people from juvenile corrections be involved with this council.

REP. COURTNEY: Discusses importance of input of line staff. Language should assure that a line staff person was truly represented on the

council.

274 CHAIR TIERNAN: This is supposed to be a management council of cooperating agencies.

285 REP. COURTNEY: Language does not specify anyone of supervisory authority.

CHAIR TIERNAN: Section 1 of SB 249 allows a line person at the judge's discretion. It is not our business who the judge appoints.

REP. COURTNEY: Need rank and file people to get a job done. There is a changing philosophy on how to get a job done.

352 REP. TARNO: Agrees with Rep. Courtney about value of input from people with hands-on experience.

CHAIR TIERNAN: This is to solve "macro" issues not working details.

380 REP. BROWN: Agrees with Rep. Tarno and Rep. Courtney. Feels it is critical to have a staff person present who deal with day-to-day issues.

CHAIR TIERNAN: This is not what that group is for.

388 BILL LINDEN, STATE COURT ADMINISTRATOR: Senate narrowed what the councils will do. They are to deal with court, indigent defense and related services. Intended to be a high level, local, senior management type of body. Collective bargaining agents have no current role in judicial system.

REP. COURTNEY: What language do we come up with that will make sure that employees are represented?

434 CHAIR TIERNAN: We are making it a broader charge than what was originally intended.

HOLLY ROBINSON, COMMITTEE COUNSEL: Suggests adding "shall include the participation of persons whose primary responsibility include direct service" in subsection (2) of SB 249.

482 REP. COURTNEY: Discusses the future of board of director's meetings.

TAPE 121, SIDE A

035 CHAIR TIERNAN: The purpose is to meet to coordinate. Don't need to bring in other issues. This goes beyond the scope of what this bill intended to do.

REP. BROWN: Council is to coordinate court and juvenile justice services. Believes a staff worker can be of great assistance in this coordination.

049 REP. COURTNEY: Likes to hear both sides of an issue.

075 CHAIR TIERNAN: Adjourns meeting at 3:40 p.m.

Submitted by:

Reviewed by:

Julie Nolta
Committee Coordinator

Anne May Committee Clerk

EXHIBIT LOG:

A - Proposed amendments to SB 353 - 3 pages B - Testimony on SB 353 -
Traci Cummings - 2 pages C - Proposed amendments to SB 249 - 1 page D -
Proposed amendments for SB 227 and SB 249 - AFSCME - 1 page