

HOUSE COMMITTEE ON JUDICIARY

January 13, 1993 Hearing Room 357 1:30 p.m. Tapes 1- 3
MEMBERS PRESENT: Rep. Del Parks, Chair Rep. Tom Mason, Vice Chair
Rep. Ken Baker Rep. Tom Brian Rep. Kate Brown Rep. Peter Courtney Rep.
Jim Edmunson Rep. Veral Tarno Rep. Bob Tiernan VISITING MEMBERS: Sen.
Dick Springer STAFF PRESENT: Holly Robinson, Committee Counsel Carole
Souvenir, Committee Counsel Julie Dow, Committee Clerk
CONSIDERED: ORGANIZATIONAL MEETING Committee Rules Committee Meeting
Schedule INFORMATIONAL MEETING Department of Justice Department of
Corrections

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.

TAPE 1, SIDE A

006 CHAIR PARKS: Calls the meeting to order at 1:30 p.m.

ORGANIZATIONAL MEETING PROPOSED COMMITTEE RULES

010 CHAIR PARKS: Asks committee if they have reviewed the proposed
committee rules and if so, if they have any objections. (EXHIBIT A)

020 MOTION: REP. BRIAN: Moves to adopt Committee Rules.

025 HOLLY ROBINSON, COMMITTEE COUNSEL: Reviews friendly amendment to
Rule 12, Page 3 House Committee on Judiciary January 13, 1993 - Page 2

047 MOTION: REP. BRIAN: Moves to adopt friendly amendment. . . .
VOTE: Hearing no objections, COMMITTEE RULES ARE ADOPTED. All members
are present. COMMITTEE/SUBCOMMITTEE MEETING SCHEDULE 050 CHAIR PARKS:
Reviews subcommittee membership and schedule.

INFORMATIONAL MEETING 100 THE HONORABLE TED KULONGOSKI, OREGON ATTORNEY
GENERAL: Presents Department of Justice Legislative and Support
Enforcement packages (EXHIBIT B). Reviews same. 194 FRANK HALL,
DIRECTOR, OREGON DEPARTMENT OF CORRECTIONS: Presents Department of
Corrections overview of 1993-95 Strategic Plan EXHIBIT C) (EXHIBIT D).
Reviews same. 270 REP. COURTNEY: Expresses concern on prediction of
increase in prison population. 281 HALL: States predictions will be
very close as stated. 300 CHAIR PARKS: Is it correct that 50% of the
people in the prison population are repeat offenders and 50% are not
making it on probation? 309 HALL: Of the people that are on
probation, 57% are succeeding in the community. About 41% of the people
return within three years after leaving the system. It doesn't have to
be a new criminal act, it can be for parole violation.

TAPE 2, SIDE A 001 HALL: Continues with overview. 193 REP.
MASON: Comments on Criminal Justice Council and ocean burglaries. 200
HALL: Continues with overview. 260 REP. BRIAN: What kind of caseload
would you be looking at under the parole transition project? 261 HALL:
It wouldn't necessarily be a caseload. It would be making certain you
have a plan and a program for everyone coming out of prison. 264 REP.
BRIAN: Questions intensive supervision in community ratio.

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267 HALL: Intensive supervision program has a ratio of 1 to 25.

270 CHAIR PARKS: The 4,100 people that you propose have no supervision, are those people who are coming out of the penitentiary system? 271 HALL: Most of these are people who have been convicted within their own communities, not necessarily people who come into the corrections system. 279 CHAIR PARKS: Would it be the equivalent of sentencing guidelines? 280 HALL: Not really. It would be a local decision. 284 CHAIR PARKS: Is the decision being made by the judge or local corrections officials? 285 HALL: In most cases they might choose to supervise or choose to provide a program. The Department of Corrections cannot support that financially. 286 CHAIR PARKS: Questions what constitutes probation at local level. 287 ELISE CLAWSON, ASSISTANT DIRECTOR, DEPARTMENT OF CORRECTIONS: Clarifies status of 4,100 people listed in summary. 295 REP. COURTNEY: Questions use of in-take center at Oregon City. 306 HALL: The Governor's Budget, as presented, does not include funding for the in-take center at Oregon City. It would be our recommendation to move the program to the Oregon State Correction Institution. 312 REP. TARNO: Questions institution plant 318 HALL: Responds.

TAPE 1, SIDE B

001 HALL: Continues with explanation of Federal Prisons leasing bed space at the Eastern Oregon facility. 006 REP. COURTNEY: States that Salem's crime rate is dramatically affected by all the institutions in the surrounding area. Expresses concern regarding implementation strategies, as described on page -2- of the Department of Correction's Strategic Plan. 021 HALL: Responds.

046 REP. MASON: Asks for comments on long-range planning.

047 HALL: Responds.

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051 REP. MASON: What would the Department of Corrections percentage be in the Governor's mandated 1993-95 budget? 055 HALL: About 98%. 066 REP. MASON: Could you maintain a 97% budget in 1995-97 with no further revenue? 070 HALL: If the Legislature could implement the recommendations discussed today, we would not be back asking for additional money for new institutions. 078 REP. MASON: 1995-97 will be even worse budget situation than this one. What percentage would you be down? 083 HALL: It would depend on the decisions that have to be made by the Governor and ultimately the Legislature as to what resources they are willing to allocate to the Department of Corrections. 097 REP. MASON: Could the Department of Corrections, under a 1995-97 budget scenario with no new revenue and the deficit doubled, be held to 98%? 099 HALL: No. 107 REP. MASON: If the Legislature dropped your budget level to 80 or 90 %, would you be able to fund the same number of institutions? 108 HALL: No. 109 REP. MASON: Asks for details regarding long-range plans for closing institutions. 110 HALL: Responds. 120 REP. MASON: How long does it take to close an institution down?

122 HALL: Responds. 146 CHAIR PARKS: How much time does it take to close an institution? 147 HALL: Very quickly. The problem is where do the inmates go? 154 REP. EDMUNSON: Have the counties responded as to how they have been impacted by the Legislative process? 172 HALL:

Responds. 192 CLAWSON: Responds. 214 HALL: Continues. 219 REP. TIERNAN: Do you think the sentencing guidelines are working? you think the sentencing guidelines are working? House Committee on Judiciary, January 13, 1993 - Page 5

220 HALL: Responds it is too early to make a determination.

253 REP. TIERNAN: Is this a proposed 15% reduction and who is proposing it? 254 HOLLY ROBINSON, COMMITTEE COUNSEL: It is the Criminal Justice Council who will be bringing that proposal forward.

260 HALL: Brought figures today so committee could see what the 15% reduction would affect.

262 REP. TIERNAN: Skeptical of whether the sentencing guidelines are working.

272 CHAIR PARKS: Outlines schedules of prison tours.

Recesses at 3:02 p.m.

TAPE 2, SIDE B 001 WILLIAM LINDEN, STATE COURT ADMINISTRATOR FOR THE HONORABLE WALLACE P. CARSON JR., OREGON SUPREME COURT: Outlines and reviews Oregon's judicial system including courts, judges, and caseloads. 025 CHAIR PARKS: Questions whether traffic violations are included in the 528 ,000 district cases heard. 030 LINDEN: Yes. Continues with percentage breakdown of cases heard. 032 REP. EDMUNSON: What other matters do the justice of peace handle other than traffic violations that the present state court system does not handle? 033 LINDEN: Justice and municipal court administration is set by the local governing body creating those courts, within some broad limitations. 042 LINDEN: Continues outline. 090 LINDEN: Reviews bill that would set up an independent board housed with the Executive branch of government to govern indigent defense. 094 LINDEN: Reviews legislation to be submitted by State Court Administrator's office. 102 CHAIR PARKS: What is the cost? 105 LINDEN: We will suggest a fee which will be approximately one-half of the dissolution fee. Approximately \$60.00. Reviews legislation sponsored by the Judicial Conference. 122 REP. TIERNAN: Do you take credit cards from a criminal? House Committee on Judiciary January 13, 1993 - Page 6

124 LINDEN: Some defendants have valid credit cards and if that is their only method of payment, - we would like the option.

132 LINDEN: Continues with review.

250 LINDEN: Discusses collection pilot programs.

TAPE 3, SIDE A

001 LINDEN: Continues discussion.

003 CHAIR PARKS: Asks about consolidating circuit and district courts.

005 LINDEN: Doesn't believe either of the judges' associations will bring that issue back for reconsideration.

Discusses potential for local governing bodies moving revenues out of the state general fund and expenditures into the state general fund.

055 CHAIR PARKS: Adjourns meeting.

Submitted by:

Reviewed by:

Anne May
Coordinator

Betina Rothauser Committee Clerk

Committee

EXHIBIT LOG:

A - Committee Rules - 3 pages B - Department of Justice - Ted Kulongoski
- 2 pages C - Department of Corrections - Frank Hall - 34 pages D -
Department of Corrections - Frank Hall - 1 page

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