Senate Judiciary Committee April 17, 1991 - Page

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks $\frac{1}{2}$

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

Measures Heard SB 982 (WRK) SB 947 (WRK) SB 943 (WRK) SB 343 (WRK) SB 715 (WRK) HB 2603 (WRK) SB 957 (PUB) SB 990 (WRK)

SENATE COMMITTEE ON THE JUDICIARY

April 17, 1991Hearing Room C 12:42 p.m. Tapes 113 - 114

MEMBERS PRESENT:SEN. JOYCE COHEN, CHAIR SEN. JIM HILL, VICE CHAIR SEN. PETER BROCKMAN SEN. JIM BUNN SEN. JEANNETTE HAMBY SEN. BOB SHOEMAKER SEN. DICK SPRINGER

STAFF PRESENT: INGRID SWENSON, COMMITTEE COUNSEL MARK THORBURN, COMMITTEE ASSISTANT

WITNESSES:

JOHN RAKOWITZ, COURT APPOINTED SPECIAL ADVOCATE PROGRAM DAVID FACTOR,

OREGON CRIMINAL JUSTICE COUNCIL VERN FAATZ, BOARD OF PAROLE AND

POST-PRISON SUPERVISION JANICE YADEN, FORMER ASSISTANT TO GOVERNOR

GOLDSCHMIDT JAMIE TILLMAN, MULTNOMAH COUNTY CASA, INC. SANDRA WARD, CASA

VOLUNTEER JOANN BONHAM, CASA VOLUNTEER ANN WIITALA, CASA VOLUNTEER

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TAPE 113, SIDE A

005 CHAIR COHEN: Discusses the day's agenda.

SB 982

009 INGRID SWENSON, COMMITTEE COUNSEL: Explains the bill. There are dash one amendments (Exhibit A); explains the amendments. There is also a letter (Exhibit B) from the proponents.

022 CHAIR COHEN: Comment on witnesses' testimony.

027 SWENSON: Their testimony was that there had never been a situation where the juvenile had not consented to the release of the records.

030 CHAIR COHEN: Have we added any protections on the research side of it?

- 031 SWENSON: No.
- 032 SEN. SPRINGER: Has concerns about what is a bona fide research activity; won't be able to support the bill even as amended.
- 040 CHAIR COHEN: How does anybody else feel about this?
- 041 SEN. BROCKMAN: I share that feeling.
- 042 SEN. BUNN: I do too.
- 043 CHAIR COHEN: Unless someone brings some language to the committee that will satisfy these three, we'll just hold the bill over.
- 048 SEN. BROCKMAN: Worth a try.
- 049 SEN. SPRINGER: I would leave them that much of an opportunity.
- SB 947
- 051 CHAIR COHEN: We've made amendments, but need implementation dates on a variety of things that we chose to do.
- 071 SWENSON: From last hearing, we have a hand engrossed version (Exhibit C) and dash one amendments (Exhibit D).
- 075 CHAIR COHEN: The dash one?
- 077 SWENSON: That's correct.
- 078 CHAIR COHEN: With the date 4/10?
- 078 SWENSON: Yes.
- Asks David Factor to go through the amendments not included in the hand engrossed version.
- The dash two amendments (Exhibit E) include all of the ones in dash one except for the final section relating to effective dates.
- 087 CHAIR COHEN: Asks for some background.
- 089 SWENSON: The committee has passed the bill. When legislative counsel received the amendment requests, there were concerns about the effect of the emergency clause. There were also concerns about the language in the appendixes.
- 108 CHAIR COHEN: So no policy changes, but lot's of words. Reminds the committee of what the bill does.
- 113 DAVID FACTOR, OREGON CRIMINAL JUSTICE COUNCIL: Counsel has described the problem that legislative counsel had.
- The first new amendment is at the top of page three, line one.
- 119 CHAIR COHEN: Hand engrossed bill?
- 120 FACTOR: With the change in the date at the top where it says 3(a) felonies committed prior to November 1, 1989. It's in regards to ORS 137.129.
- The change there is to change the date to November 1

(inaudible).

- 124 CHAIR COHEN: So you're on line five of the dash three amendments (Exhibit F).
- 125 FACTOR: Yes.
- That will make clear that the amendment applies to offenses on or after the effective date of the rule amendment. That's the same amendment noted on line six of the dash three amendments.
- 132 CHAIR COHEN: O.K.; we'll make that amendment.
- 135 FACTOR: The new section six deletes the word "guidelines" and inserts a list of all the rules and appendixes that are approved by this act.
- 143 CHAIR COHEN: We're on page five of the hand engrossed bill?
- 144 FACTOR: That's correct; page five, line 35.
- 147 CHAIR COHEN: And we're going to insert all of those rules?
- 148 FACTOR: Yes.
- On line 36 of the printed bill, the effective date language is to make the rule amendments apply to offenses committed on or after November 1, 1991.
- 156 CHAIR COHEN: Which would give us a date certain. Wants to make sure the Guidelines Board has plenty of opportunity to adjust their guidelines so the statute and the guidelines would come in a timely way.
- 166 FACTOR: At the bottom of page three of the dash three amendments, in regards to section nine, this will require to the Board to adopt certain rules before the bill takes effect that will apply after November 1, 1991.
- Same thing on line 29 in the new section ten.
- 184 CHAIR COHEN: That's the essence of the dash three amendments. Thanks the witness.
- 189 MOTION: Sen. Hill moves the dash three amendments.
- 193 CHAIR COHEN: Calls for objections.
- 194 SEN. BROCKMAN: On page three of the hand engrossed bill, lines 36 and 37; notes that Sen. Shoemaker was once concerned removing the term "terminal illness and severe medical condition." Was that a separate bill?
- 198 CHAIR COHEN: Yes.
- 199 SEN. BROCKMAN: It's going away because it's amended out? It's no where else?
- 200 CHAIR COHEN: Right. We've taken care of that in a bill that we've passed already.
- 202 SEN. BROCKMAN: O.K.

203 CHAIR COHEN: Calls for objections to the motion. Hearing none, so ordered; Sen. Shoemaker excused.

204 MOTION: Sen. Hill moves SB 947 as amended to the floor with a "do pass" $\,$

recommendation.

207 VOTE: Motion unanimously passes; Sen. Shoemaker excused.

SB 943

214 SWENSON: Explains the bill. There is a hand engrossed version (Exhibit G) and a dash one amendments (Exhibit H). Deborah Wilson from the Attorney General's office is present.

- 227 CHAIR COHEN: Yes; she did go through these amendments.
- 231 MOTION: Sen. Hamby moves the dash one amendments.
- 232 CHAIR COHEN: Calls for objections; hearing none, so ordered; Sen. Shoemaker excused.
- 236 SWENSON: Legislative Counsel recommends a few minor changes.
- 240 CHAIR COHEN: Asks for explanation of the changes.
- 241 SWENSON: Explains those changes.
- 262 CHAIR COHEN: And the effect of which is?
- 263 SWENSON: Explains effect of the changes.
- 269 MOTION: Sen. Hill moves the amendments.
- 270 CHAIR COHEN: Calls for objections; hearing none, so ordered; Sen. Shoemaker excused.
- 272 MOTION: Sen. Hamby moves SB 943 as amended to the floor with a "do pass" recommendation.
- 276 VOTE: Motion unanimously passes; Sen. Shoemaker excused.

SB 343

- 284 CHAIR COHEN: Comments on the bill.
- 287 SWENSON: Explains the bill.
- Discusses other options suggested by the Juvenile Rights Project and the Juvenile Directors Association.
- 298 CHAIR COHEN: Summarizes the options.
- The language in question is on pages two and three of the bill.
- Now's the time to make a decision.
- I hear three people don't want to do anything with this bill.
- 310 SEN. SHOEMAKER: Here I am.

- 312 CHAIR COHEN: Comments on how to handle the bill.
- 315 SEN. SPRINGER: They're wearing me down.
- 316 SEN. BROCKMAN: We have him bracketed down here.
- 317 CHAIR COHEN: There was some debate about whether they can hold them at all after adjudication. This is the issue before us.
- 324 SEN. SHOEMAKER: Offers another option.
- 331 CHAIR COHEN: Not sure that makes anybody any happier; it complicates matters. Explains why.
- You've got it up to six months, right?
- 349 SEN. SHOEMAKER: Maximum of 56 days.
- 352 CHAIR COHEN: That's too complicated.
- 353 SEN. HILL: Going the wrong way.
- 353 CHAIR COHEN: Asks Sen. Hamby for comments.
- 354 SEN. HAMBY: I have no interest in the bill.
- 355 CHAIR COHEN: We'll hold it over.
- SB 715
- 363 CHAIR COHEN: We have amendments?
- 364 SWENSON: There is a hand engrossed version (Exhibit I) of the bill and dash A6 amendments (Exhibit P). Explains the bill.
- 373 CHAIR COHEN: Tells Sen. Springer that he'll recognize this.
- 375 SEN. SPRINGER: Just telling Sen. Bunn about all the amendments that we adopted earlier and the issues that were raised.
- 380 SEN. BUNN: And I decided that I had enough of an explanation.
- 382 CHAIR COHEN: The bill is here so we can look at two issues which were suspect in the Agriculture Committee. Specifies the issues.
- 394 MOTION: The Chair moves the amendments.
- 400 SEN. SHOEMAKER: Reads portion of Section 13 of the bill.
- 405 CHAIR COHEN: How come we have that? That shouldn't be here.
- 408 SWENSON: That's correct; the language added stands alone and addresses the problem, so lines 40 and 41 should be deleted.
- 416 MOTION: Sen. Hill moves the deletion.
- 417 SEN. SHOEMAKER: What will the penalty be credited to?
- 419 CHAIR COHEN: The General Fund.
- 421 SEN. HILL: Credited to and deposited to the General Fund.

- 422 SEN. SHOEMAKER: Why do you need "credited to?"
- 423 SWENSON: Not sure; had asked for standard language.
- 424 SEN. SHOEMAKER: It just means unallocated money that goes into the General Fund?
- 425 CHAIR COHEN: Right.
- 426 SEN. SHOEMAKER: It doesn't mean credited to this program or anything?
- 427 CHAIR COHEN: No.
- Calls for objections to motion.
- 428 SEN. BROCKMAN: Is section 13 going away?
- 429 CHAIR COHEN: Right.
- 434 MOTION: Sen. Hill moves the deletion of lines 40 and 41.
- 443 CHAIR COHEN: Calls for objections; hearing none, so ordered.
- 445 SEN. HAMBY: Is there a fiscal?
- 446 CHAIR COHEN: Defers to Ingrid Swenson.
- 450 SWENSON: The bill has a subsequent referral to Ways and Means and Sen. Yih requests for that to be removed.
- $456\ \text{CHAIR}$ COHEN: It no longer appropriates money; there's no reason to send it to Ways and Means. Asks Sen. Springer for comment.
- 462 SEN. SPRINGER: Concur.
- 463 MOTION: Sen. Springer moves that the committee send a letter to the President asking that the Ways and Means referral be rescinded.
- 468 SEN. HAMBY: Calls committee's attention to the fact that the task force is to be funded from civil penalty revenue.
- TAPE 114, SIDE A
- 031 CHAIR COHEN: They're not anticipating civil penalties. The only thing this bill relates to anymore is anti-freeze and billing agents. That's why the Chair fussed about the separate fund.
- Summarizes Sen. Springer's motion to move SB 715 as amended to the floor with a "do pass" recommendation and that we ask the Senate President to rescind the referral to Ways and Means.
- 043 MARK THORBURN, COMMITTEE ASSISTANT: Understood Sen. Hill's motion was to only delete lines 40 and 41; was it to include . . .
- 044 CHAIR COHEN: I added to the motion.
- 045 THORBURN: So the A6 has passed?
- 046 CHAIR COHEN: Yes; Sen. Hill's motion was to delete line 40 and 41

and to delete line 42 and 43 as stated in the

- 049 SEN. HILL: A6.
- 049 CHAIR COHEN: A6 amendments.
- 050 SEN. HILL: We had just not removed those last lines . . .
- 051 CHAIR COHEN: Right.
- 052 SEN. HILL: Of 40 and 41.
- 053 CHAIR COHEN: Calls for further discussion on the bill.
- 054 VOTE: Motion passes unanimously.

HB 2603

069 VERN FAATZ, BOARD OF PAROLE AND POST-PRISON SUPERVISION: The implementation of the Sentencing Guidelines and Ballot Measure 5 leads to a

recommendation that the membership of the Board of Parole and Post-Prison Supervision be reduced from five to three. Submits Exhibit K. The bill also changes the voting requirements to overturn minimum terms and make other decisions. Discusses other changes.

- 104 CHAIR COHEN: Do you really want this bill?
- 105 FAATZ: Yes.
- 106 CHAIR COHEN: We are scheduled for a work session.
- 108 MOTION: Sen. Hill moves HB 2603 to the floor with a "do pass" recommendation.
- 111 CHAIR COHEN: Calls for discussion.
- 112 SEN. BUNN: Going to vote against the motion because, if we have five members, three out of five instead of four out of five would be required to reduce sentences as currently required.
- 116 FAATZ: Not sure what Sen. Bunn's concern is. Going from five members to three.
- 119 SEN. BUNN: It says a minimum of three and as many as five. If you ended staying at five, the amendments would change what we currently require
- 121 CHAIR COHEN: I think it's different as to what three to five means; it does not mean either/or three to five, or does it?
- 123 FAATZ: The way we're trying to accommodate the movement from five to three members is by saying at least three and no more than five. We're going to go from five, to four, to three.
- 130 SEN. BUNN: But in the statute, we set a policy for a board of five to exist without requiring all but one to agree.
- 133 FAATZ: I hear that.
- 134 SEN. BUNN: Four out of five is a safer threshold than two out of

- three. We are also creating a statutory loophole saying that we could have a situation where three out of five could do this.
- 139 CHAIR COHEN: Do you want anything to amend this bill to take care of that?
- 140 FAATZ: I'd have to talk to my two colleagues and talk with the Governor's office as well.
- 148 SEN. HAMBY: One solution might be a unanimous decision if you're sitting as a board of three.
- 151 FAATZ: A unanimous decision to set aside, for example, a minimum term.
- 154 SEN. HAMBY: In many respects, I agree with Sen. Bunn.
- How frequently do you find yourself in unanimous decisions?
- 158 FAATZ: We're often in agreement. With respect to certain minimums, we're almost always unanimous in setting the minimum aside; almost always unanimous in upholding minimums in other types of cases.
- 171 SEN. HAMBY: Would it be a difficult decision to amend it to require a unanimous vote should the board members drop to three?
- 173 FAATZ: It creates a set of circumstances which could be very difficult.
- 186 SEN. BUNN: Under current statute, if the vote is 4 to 1, that's sufficient to second guess a judge. But if it's 2 to 1, it's a close call; doesn't think that justifies throwing out the judges' call.
- 197 CHAIR COHEN: I'd not be inclined to do that. In that circumstance, you're taking away total discretion from the parole board.
- 219 FAATZ: The board is the one place in the state where all the sentences come down for a review. Part of the role of the board is to be a leveler.
- 240 SEN. BUNN: In what percent of the cases that you review now do you remove the minimums?
- 242 FAATZ: I can't give exact figures. For crimes on the low end, the Board will set aside minimum terms. Rare to set aside minimum terms for the most serious of crimes.
- 253 SEN. BUNN: Overall, would it be 80% set aside, 20% set aside, what?
- 255 FAATZ: I hesitate to give that to you off the top of my head.
- 259 SEN. BUNN: With the sentencing guidelines, we've gone a long ways to try to equalize and have said, when there are unique circumstances, there is the ability to go outside of that. Now, if two out of three can wipe out . . .
- 264 CHAIR COHEN: But these people's role does not apply to sentencing guidelines. Their still in business only for those pre-guidelines cases that are rolling around in the system.
- 268 SEN. BUNN: The dual system.

- 269 CHAIR COHEN: Yes. They're out of the action entirely under the sentencing guidelines. The minimums stand and they don't even get into the action of reviewing.
- 273 SEN. BUNN: On the one hand, I can make the argument that two of those individuals can get together and decide it all ought to be one way and set the standard for the entire state, wiping out every judge's discretion. Or, one individual can decide to give the judge the discretion and wipe out any statewide equalization. That's the danger when you drop to three. If you drop to three individuals, I'd rather maintain the judicial ability than
- 282 CHAIR COHEN: And recognizing that we are talking about only pre-sentence guidelines.
- 285 SEN. BUNN: But we're still talking about second guessing those judges that have already sentenced.
- 288 SEN. HILL: Maybe the number should not go below four.
- 294 CHAIR COHEN: How much business do you have?
- 295 FAATZ: The Board was established in 1937 with three members. That continued until 197 5 when they added a member. The fifth member was added when the parole matrix went into effect.
- 301 CHAIR COHEN: They added the members for workload purposes rather than
- 302 FAATZ: That's my understanding.
- Describes changes in workload.
- We're going to continue to see people under the old system for a long time because many of the people coming in are probationers who are revoked. These people have to be dealt with under old and new systems; explains statement.
- If the person has a driving offense, we are going to set the minimum aside. If we have a Board member who disagrees, then we're going to end up with some of these folks spending time in the penitentiary.
- 360 SEN. HILL: If we had four, then Sen. Bunn may be comfortable with three out of the four. Do you need four people now?
- 366 FAATZ: Need four people to get through the workload. Thinks the workload can be managed with three people within a year.
- 372 SEN. HILL: Inside of this next year?
- 373 FAATZ: By July, 1992.
- 380 SEN. BUNN: Any idea, of when there was three members, how many of the three were required to depart from the consecutive or minimum sentence requirements.
- 385 FAATZ: It was very different then. I'd have to go back and look at the rules; thinks two people could make a decision. The Board had absolute discretion back then, regardless of the court's sentence.
- 403 CHAIR COHEN: The options of different ways to restructure are not

- very clear. Willing to pass this as it comes from the House and, if there's a problem, we're going to hear about it.
- 444 SEN. HAMBY: I'll support the bill; it's just that I recognize Sen. Bunn's concern.
- 447 SEN. SHOEMAKER: I feel the same way, but on balance I support the bill.
- 458 FAATZ: The Board of Parole is a discretionary body with a decision-making responsibility. There is now a feeling that that type of discretion not appropriate. We are now in a transition, but these folks that came under the old system still have the right to that discretionary decision-making body. The Board is made up of good people.

TAPE 113, SIDE B

- 029 SEN. HILL: How long will this transition period last?
- 031 FAATZ: We have 15,000 under the old system who are out on probation. The Board could be dealing with this set of issues, at a greatly reduced volume, for a number of years.
- 045 SEN. SHOEMAKER: How does the handling and the relaxing of minimum sentences relate to the sentencing guidelines in terms of time? Are you going to find yourself reducing a minimum sentence below the period of time that the guidelines would call for?
- 051 FAATZ: We don't have that kind of authority. If a person is sentenced under the sentencing guidelines, we have nothing to \dots .
- 055 SEN. SHOEMAKER: If you have a person sentenced under the old system and coming before you on parole that would reduce the minimum, would you allow a reduction of that minimum sentence to a period that would be less than the guidelines call for?
- 059 FAATZ: That could happen.
- 060 SEN. SHOEMAKER: Is it likely to?
- 061 CHAIR COHEN: The sentencing guidelines have added huge amounts of time served on person to person cases, so the judge may have sentence them for five years and we're giving them seven.
- 064 SEN. SHOEMAKER: So if that person comes in for a minimum set under the old system which is less than the guidelines call for and then he comes in for parole that would reduce it even further under the guidelines, would that effect the decision?
- 068 FAATZ: You could get a person sentenced for a drug offense under the sentencing guidelines who might get eight or ten years where, if sentenced for a similar crime under the old system, he could have both a sentence and a minimum term that was less than under the old system and it's conceivable that the Board could set it less than that. Those are the rules and statutes that apply when the crime was committed.
- 079 CHAIR COHEN: And, legally, you have to abide by that. If you up them according to the sentencing guidelines
- 080 SEN. SHOEMAKER: I know that you can't up them.

- 081 FAATZ: The Board is attentive to the sentencing guidelines.
- 091 SEN. SHOEMAKER: So there really are two different systems and they don't really affect each other.
- 093 FAATZ: That's correct.
- 094 SEN. HILL: In the other states that have sentencing guidelines, are they reducing the number of people on the Board of Parole?
- 098 FAATZ: Yes in Washington and Minnesota; not familiar with the other states.
- 102 SEN. HILL: We should either say that they should have a certain number as a matter of policy or going to reduce their number. If we reduce their number, a unanimous vote is asking too much.
- 111 CHAIR COHEN: Anything else on the motion?
- 116 VOTE: Motion passes by vote of 6 to 1; Sen. Bunn voting no.
- SB 957
- 131 CHAIR COHEN: Invites witnesses to testify.
- 139 JANICE YADEN, FORMER ASSISTANT TO GOVERNOR GOLDSCHMIDT: The current child protective system often overlooks the child's best interests. The court appointed special advocate is the exception; they're the most capable in pushing the needs of the child; cite their advantages.
- 181 CHAIR COHEN: If we've found a better way, using CASA's, why are we still spending \$750,000 for the citizen review boards? We ought to take the money from there and put them into the CASA's.
- 188 YADEN: It's substantially more than \$750,000. Citizen review board members have told me that CASA's are more effective.
- 195 CHAIR COHEN: Going to try to round up enough members of this committee to see if we can put the money into CASA's instead of citizen review boards.
- 205 SEN. HAMBY: Wants to see an amendment in the bill making that very recommendation.
- 208 JOHN RAKOWITZ, COURT APPOINTED SPECIAL ADVOCATE PROGRAM: Program defined in ORS 417.600 contained in Exhibit K. Discusses existing systems ability to meet children's need through appointing special advocates, why the funds are being requested, and the impact those funds can be expected to have. The judges clamor for the program. From prospective of private foundations, the state has a role to play in the funding of the programs and they are reluctant to contribute without some sort of state support.
- 324 SEN. HILL: I don't have a fiscal impact statement. Are you anticipated in the Governor's budget?
- 328 CHAIR COHEN: No; it's a new program.
- 338 THE HONORABLE LARRY HILL, STATE SENATOR: Has introduced the bill to expand the CASA program around the state. CASA works for kids; explains how and discusses disadvantages of current system. Paraphrases first

- paragraph of Exhibit L; cites other example of where a CASA volunteer was needed.
- 419 SEN. SPRINGER: Concerned about where the money is going to come from.
- 439 SEN. LARRY HILL: Have another bill that allows the county the option to put a surcharge on a marriage license and use that for their local . . .
- 442 CHAIR COHEN: We have a better idea.
- 443 SEN. LARRY HILL: It's an excellent point.
- 444 CHAIR COHEN: And you can cut government in the process.
- 445 SEN. LARRY HILL: I'm all ears.
- 447 CHAIR COHEN: Look at the citizen review boards; explains that they may have outlived their time.
- TAPE 114, SIDE B
- 041 SEN. LARRY HILL: Agrees that the CASA's do better for the kids than the citizen review boards.
- Would want to consider whether we want to give CASA's the ability to know what confidential information is in the file.
- The citizens review board could be more than it currently is, but it will cost a lot more money.
- The current limitations on the citizens review board causes frustration and inefficiency.
- 056 CHAIR COHEN: Thanks witness.
- 059 SEN. LARRY HILL: We do need this bill for a vehicle.
- 060 CHAIR COHEN: We're going to give it to you with maybe an amendment.
- 061 SEN. HAMBY: That's my thought; to amend it.
- 062 CHAIR COHEN: Sen. Hamby is going to fix the amendments up and get them to you in a week.
- 065 JAMIE TILLMAN, MULTNOMAH COUNTY CASA, INC.: Describes child abuse and other problems involving the mistakes made by the child welfare system. Describes efforts of CASA volunteers and cites advantages of CASA programs. General fund support for CASA is important; not asking for funding solely from the state.
- 142 SEN. SHOEMAKER: Impressed with program. Occasionally, the CASA gets carried away; is there some avenue for relief from that?
- 152 TILLMAN: Describes process for recourse. CASA's do frequently make people angry; often for good reason. Their independence is both an advantage and a disadvantage.
- 173 SANDRA WARD, CASA VOLUNTEER: Paraphrases Exhibit M.
- 229 JOANN BONHAM, CASA VOLUNTEER: Paraphrases Exhibit N.

293 ANN WIITALA, CASA VOLUNTEER: Not all cases as dramatic as those mentioned. Credibility of CASA's is in that they are not paid; families look at us as being on their side.

308 CHAIR COHEN: Comments on follow up on possibly restrict the review of the citizens review board.

SB 990

323 CHAIR COHEN: Information (Exhibit O) is being handed out that Sen. Jim Hill requested on incarceration rates.

331 SWENSON: The handout explains why the Oregon incarceration rate is of a whole different range than ones in the federal study. Explains differences. Oregon does imprison about 12% above the national average.

341 CHAIR COHEN: 12% above the average.

343 SEN. HAMBY: Discusses California prison population figures.

351 CHAIR COHEN: Adjourns meeting at 2:30 p.m.

Submitted by: Reviewed by:

Mark Thorburn Ingrid Swenson Committee Assistant

Committee Counsel

EXHIBIT LOG:

A - Amendments to SB 982 - Committee Staff - 1 page
B - Letter re: SB 982 - Stephen Carmichael - 1 page C - Hand
Engrossed Version of SB 947 - Committee Staff - 5 pages
D - Amendments to SB 947 (dash one) - Committee Staff - 1 page
E - Amendments to SB 947 (dash two) - Committee Staff - 3 pages
F - Amendments to SB 947 (dash three) - Committee Staff - 4 pages
G - Hand Engrossed Version of SB 943 - Department of Justice - 3
pages H - Amendments to SB 943 - Committee Staff - 2 pages
I - Hand Engrossed Version of SB 715 - Committee Staff - 2 pages
J - Testimony on HB 2603 - Vern Faatz - 2 pages
K - Materials on Oregon's Court Appointed Special Advocates re: SB
957 - John Rakowitz - 14 pages L- Examples of CASA Success
Stories re: SB 957 - Sen. Larry Hill - 1 page M - Testimony on SB
957 - Sandra Ward - 2 pages N - Testimony on SB 957 - Joann Bonham
- 2 pages O - Materials on Oregon's Incarceration Rates - Kathleen
Bogan - 3 pages P - Amendments on SB 715 - Committee Staff - 1
page

EXHIBITS DISTRIBUTED BUT NOT REFERRED TO DURING HEARING

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Q - Testimony on SB 957 - Ann Wiitala - 1 page R - Materials on Court Appointed Special Advocates Program re: SB 957 - Jamie Tillman - 3 pages S - Testimony on SB 957 - Christina Blackwell - 1 page T - Testimony on SB 957 - Helen Jenks - 1 page U - "Recommendations and Things to Think About" re: SB 957 - Donaline Points - 1 page V - Copy of ORS 417.600 et. seq. re: SB 957 - Committee Staff - 2 pages
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