

## **HOUSE COMMITTEE ON JUDICIARY**

April 01, 2011

Hearing Room 343

1:00 P.M.

**MEMBERS PRESENT:** Co-Chair Jeff Barker  
Co-Chair Wayne Krieger  
Co-Vice Chair Wally Hicks  
Rep. Andy Olson  
Rep. Mike Schaufler  
Rep. Carolyn Tomei  
Rep. Matt Wand  
Rep. Gene Whisnant

**MEMBERS EXCUSED:** Rep. Mary Nolan  
Co-Vice Chair Chris Garrett

**STAFF PRESENT:** Bill Taylor, Committee Counsel  
Kristi Hauck, Committee Assistant

**MEASURES/ISSUES HEARD:** HB 2362-Public Hearing and Work Session  
HB 3433-Public Hearing and Work Session  
HB 2667-Public Hearing and Work Session  
HB 3160-Public Hearing and Work Session  
HB 3285-Public Hearing  
HB 3286-Public Hearing  
HB 3309-Public Hearing  
HB 2942-Public Hearing

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### **Recording Log**

**1:06:38 PM** Meeting Called to Order by Co-Chair Krieger

**1:07:09 PM** **HB 2362-Public Hearing and Work Session**

**1:07:11 PM** {Exhibit} 1: Bill Taylor, Committee Counsel

**1:07:31 PM** Co-Chair Krieger

**1:07:42 PM** Brian DeLashmutt, Association of Oregon Corrections Employees

**1:08:51 PM** {Exhibit} 2: Mike Van Patten, President, Association of Oregon Corrections Employees

**1:10:18 PM** DeLashmutt

**1:11:34 PM** Co-Vice Chair Hicks

**1:11:45 PM** DeLashmutt

**1:12:36 PM** Rep. Olson

**1:12:43 PM** DeLashmutt

**1:12:55 PM** Co-Chair Krieger

1:13:10 PM DeLashmutt  
1:13:33 PM MOTION: Co-Chair Barker moves the -1 amendments Be Adopted  
1:13:42 PM Co-Chair Krieger  
1:13:50 PM Rep. Olson  
1:13:59 PM Co-Chair Krieger  
1:14:19 PM {Exhibit} 3: Marilyn Lorange, Manager, Standards & Certification Program,  
Department of Public Safety Standards and Training  
1:17:08 PM Eriks Gabliks, Director, Department of Public Safety Standards and  
Training  
1:18:23 PM Rep. Tomei  
1:18:56 PM Gabliks  
1:19:52 PM Rep. Tomei  
1:19:54 PM Co-Chair Krieger  
1:19:55 PM Co-Chair Barker  
1:20:02 PM VOTE: 8-0-2  
1:20:03 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Nolan, Garrett  
1:20:39 PM {Exhibit} 4: Tom Cramer, Professional Development Unit Administrator,  
Oregon Department of Corrections  
1:23:55 PM Mary Botkin, American Federation of State, County and Municipal  
Employees  
1:27:24 PM Rep. Tomei  
1:27:51 PM Cramer  
1:28:03 PM Rep. Tomei  
1:28:24 PM Cramer  
1:28:42 PM Rep. Tomei  
1:28:53 PM Botkin  
1:28:57 PM Co-Chair Krieger  
1:28:57 PM Rep. Tomei  
1:29:01 PM Botkin  
1:29:11 PM Co-Chair Krieger  
1:29:26 PM Botkin  
1:29:33 PM Co-Chair Krieger  
1:29:34 PM Botkin  
1:30:27 PM Co-Chair Krieger  
1:30:31 PM MOTION: Co-Chair Barker moves HB 2362 Do Pass as Amended and Be  
Referred to Ways & Means  
1:30:44 PM VOTE: 8-0-2  
1:30:45 PM Co-Chair Krieger  
1:30:45 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Nolan, Garrett  
  
1:31:26 PM **HB 3433-Public Hearing**  
1:31:42 PM Bill Taylor, Committee Counsel  
1:31:58 PM Rep. Katie Eyre Brewer, House District 29  
1:33:37 PM Co-Chair Krieger

1:33:38 PM Rep. Wand  
1:33:52 PM Rep. Eyre Brewer  
1:34:18 PM Rep. Wand  
1:34:33 PM Rep. Eyre Brewer  
1:35:20 PM Co-Chair Krieger

1:35:39 PM **HB 3433-Work Session**  
1:35:42 PM MOTION: Co-Chair Barker moves HB 3433 Do Pass  
1:35:44 PM Co-Chair Krieger  
1:35:51 PM Co-Vice Chair Hicks  
1:35:54 PM Bill Taylor, Committee Counsel  
1:35:57 PM Co-Chair Krieger  
1:36:23 PM VOTE: 8-0-2  
1:36:24 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Nolan, Garrett  
1:36:25 PM CARRIER: REP. EYRE BREWER will lead discussion on the floor

1:36:37 PM **HB 2667-Public Hearing**  
1:36:41 PM {Exhibits} 5-8: Bill Taylor, Committee Counsel  
1:37:39 PM Co-Chair Krieger  
1:37:52 PM Billy Dalto, former representative, House District 21  
1:41:24 PM Co-Vice Chair Hicks  
1:41:38 PM Co-Chair Krieger  
1:41:38 PM Taylor  
1:41:56 PM Rep. Wand  
1:42:00 PM Taylor  
1:42:39 PM Dalto  
1:43:10 PM Rep. Whisnant  
1:43:21 PM Co-Chair Krieger  
1:43:26 PM Rep. Wand  
1:44:22 PM Co-Chair Krieger

1:44:24 PM **HB 2667-Work Session**  
1:44:27 PM MOTION: Rep. Whisnant moves the -4 amendments Be Adopted  
1:44:36 PM Co-Chair Krieger  
1:44:45 PM VOTE: 8-0-2  
1:44:45 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Nolan, Garrett  
1:44:47 PM Rep. Whisnant  
1:45:01 PM Co-Chair Krieger  
1:45:20 PM Dalto  
1:45:32 PM Co-Chair Krieger  
1:45:34 PM Co-Chair Barker  
1:45:36 PM MOTION: Co-Chair Barker moves the -2 amendments Be Adopted  
1:45:44 PM VOTE: 8-0-2  
1:45:45 PM AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;

EXCUSED: Nolan, Garrett

**1:45:48 PM** MOTION: Co-Chair Barker moves the -3 amendments Be Adopted

**1:45:52 PM** Co-Chair Krieger

**1:45:58 PM** VOTE: 8-0-2

**1:45:59 PM** AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Nolan, Garrett

**1:46:03 PM** Rep. Wand

**1:46:19 PM** Co-Chair Krieger

**1:46:34 PM** Rep. Olson

**1:46:48 PM** Co-Chair Krieger

**1:47:14 PM** **HB 3160-Public Hearing**

**1:47:15 PM** Bill Taylor, Committee Counsel

**1:47:49 PM** Co-Chair Krieger

**1:48:18 PM** {Exhibit} 9: Jim McCauley, Washington County

**1:50:46 PM** Andy Dyke, Project Manager, ECONorthwest

**1:52:37 PM** Paul Snider, Association of Oregon Counties

**1:53:05 PM** McCauley

**1:53:07 PM** Taylor

**1:53:29 PM** Dan Olsen

**1:54:30 PM** Rep. Wand

**1:54:37 PM** McCauley

**1:54:50 PM** Co-Chair Barker

**1:55:01 PM** Co-Chair Krieger

**1:55:03 PM** Co-Vice Chair Hicks

**1:55:18 PM** Co-Chair Barker

**1:55:25 PM** **HB 3160-Work Session**

**1:55:26 PM** MOTION: Co-Chair Barker moves the -1 amendments be Adopted

**1:55:37 PM** VOTE: 8-0-2

**1:55:38 PM** AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Nolan, Garrett

**1:55:39 PM** MOTION: Co-Chair Barker moves HB 3160 Do Pass as Amended

**1:55:41 PM** Co-Chair Krieger

**1:56:08 PM** VOTE: 8-0-2

**1:56:09 PM** AYES: Olson, Schaufler, Tomei, Wand, Whisnant, Hicks, Barker, Krieger;  
EXCUSED: Nolan, Garrett

**1:56:11 PM** CARRIER: REP. BARKER will lead discussion on the floor

**1:56:27 PM** The following written testimony was submitted for the record without public testimony:

**1:56:28 PM** {Exhibit} 10: Oregon Association of Community Corrections Directors

**1:56:29 PM** Co-Chair Krieger

**1:56:30 PM** Co-Chair Barker

**1:56:34 PM** Rep. Olson

**1:56:53 PM** Co-Chair Barker

**1:57:00 PM HB 3285-Public Hearing**

**1:57:01 PM** Bill Taylor, Committee Counsel

**1:57:26 PM** Co-Chair Barker

**1:57:51 PM** {Exhibit} 11: Brian Belleque, Westside Institutions Administrator, Oregon  
Department of Corrections

**2:00:18 PM** Co-Chair Barker

**2:00:19 PM** {Exhibit} 12: Gretchen Vala, President, Oregon Citizens United for  
Rehabilitation of Errants

**2:02:55 PM** Co-Chair Barker

**2:02:56 PM** Belleque

**2:03:56 PM** Co-Chair Barker

**2:04:00 PM** Taylor

**2:04:22 PM** Co-Chair Barker

**2:04:31 PM** Co-Chair Krieger

**2:05:13 PM** Co-Chair Barker

**2:05:14 PM** Co-Vice Chair Hicks

**2:05:23 PM** Belleque

**2:05:30 PM** Co-Vice Chair Hicks

**2:05:30 PM** Co-Chair Barker

**2:05:44 PM HB 3286-Public Hearing**

**2:06:12 PM** Bill Taylor, Committee Counsel

**2:06:13 PM** Co-Chair Barker

**2:06:20 PM** {Exhibit} 13: Brian Belleque, Westside Institutions Administrator, Oregon  
Department of Corrections

**2:07:55 PM** Co-Chair Barker

**2:07:57 PM** Belleque

**2:07:58 PM** Co-Chair Barker

**2:07:59 PM** Rep. Olson

**2:08:08 PM** Belleque

**2:08:17 PM** Co-Chair Barker

**2:08:18 PM** Rep. Tomei

**2:08:29 PM** Belleque

**2:08:47 PM** Rep. Tomei

**2:08:52 PM** Co-Chair Krieger

**2:08:57 PM** Rep. Wand

**2:09:31 PM** Co-Chair Barker

**2:09:32 PM** Belleque

**2:09:50 PM** Co-Chair Barker

**2:09:56 PM HB 3309-Public Hearing**

**2:10:13 PM** Bill Taylor, Committee Counsel

**2:10:17 PM** Co-Chair Barker

**2:10:47 PM** Jason Myers, Sheriff, Marion County

**2:14:16 PM** Co-Chair Barker

**2:14:20 PM** Chris Murfin, Marion County Reentry Initiative, Chemeketa Community

College  
**2:16:16 PM** {Exhibit} 14: Doug Harclerod, Senior Policy Advisor, Oregon Anti-Crime Alliance  
**2:17:32 PM** Co-Chair Krieger  
**2:17:33 PM** Harclerod  
**2:18:03 PM** Co-Chair Barker  
**2:18:06 PM** Taylor  
**2:18:25 PM** Harclerod  
**2:19:36 PM** Taylor  
**2:19:54 PM** Co-Chair Barker  
**2:19:55 PM** The following written testimony was submitted for the record without public testimony:  
**2:19:56 PM** {Exhibit} 15: Max Williams, Director, Oregon Department of Corrections  
  
**2:20:14 PM** **HB 2942-Public Hearing**  
**2:20:26 PM** {Exhibit} 16: Bill Taylor, Committee Counsel  
**2:21:26 PM** {Exhibit} 17: Kirstin Heydel, Youth Coordinator, Mid-Valley Women's Crisis Center  
**2:26:03 PM** Co-Chair Barker  
**2:26:14 PM** JoAnn Furnish, survivor of sexual assault  
**2:29:18 PM** Co-Chair Barker  
**2:29:23 PM** Natalie Schraner, Portland Women's Crisis Line  
**2:31:32 PM** Co-Chair Barker  
**2:31:53 PM** Rep. Sara Gelser, House District 16  
**2:33:24 PM** Co-Chair Barker  
**2:33:27 PM** {Exhibit} 18: Christine Herrman, Executive Director, Attorney General's Sexual Assault Task Force  
**2:38:42 PM** Rep. Tomei  
**2:39:10 PM** Herrman  
**2:40:47 PM** Rep. Tomei  
**2:40:58 PM** Herrman  
**2:41:07 PM** Co-Chair Barker  
**2:41:08 PM** Rep. Olson  
**2:41:17 PM** Co-Chair Barker  
**2:41:18 PM** {Exhibit} 19: Sybil Hebb, Oregon Law Center  
**2:42:56 PM** Rep. Olson  
**2:43:47 PM** Herrman  
**2:44:42 PM** Rep. Olson  
**2:44:43 PM** Herrman  
**2:44:44 PM** Rep. Olson  
**2:45:01 PM** Herrman  
**2:45:19 PM** Hebb  
**2:45:54 PM** Rep. Olson  
**2:46:06 PM** Herrman  
**2:46:29 PM** Rep. Olson  
**2:46:41 PM** Herrman

2:46:47 PM Rep. Olson  
2:46:48 PM Co-Chair Barker  
2:46:49 PM Rep. Schaufler  
2:47:57 PM Hebb  
2:49:19 PM Rep. Schaufler  
2:49:41 PM Co-Chair Barker  
2:49:43 PM Rep. Olson  
2:50:11 PM Co-Chair Barker  
2:50:19 PM Rep. Schaufler  
2:50:20 PM Co-Chair Barker  
2:50:24 PM Rep. Schaufler  
2:50:35 PM Co-Chair Barker  
2:50:42 PM Rep. Schaufler  
2:50:45 PM Co-Chair Barker  
2:50:51 PM Rep. Wand  
2:51:07 PM Herrman  
2:51:21 PM Rep. Wand  
2:51:30 PM Herrman  
2:52:07 PM Rep. Wand  
2:52:40 PM Herrman  
2:53:10 PM Rep. Wand  
2:53:46 PM Rep. Gelser  
2:55:31 PM Taylor  
2:56:05 PM Herrman  
2:57:19 PM Taylor  
2:57:46 PM Hebb  
2:59:44 PM Co-Chair Barker  
2:59:45 PM Co-Vice Chair Hicks  
2:59:49 PM Herrman  
2:59:50 PM The following written testimony was submitted for the record without public testimony:  
2:59:50 PM {Exhibit} 20: Wendy Anderson, resident, Jackson County, Oregon  
2:59:53 PM Meeting Adjourned by Co-Chair Barker

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### **Exhibit Summary**

1:07:11 PM {Exhibit} 1: HB 2362, -1 amendments, staff, 1 p  
1:08:51 PM {Exhibit} 2: HB 2362, written testimony, Mike Van Patten, 1 p  
1:14:19 PM {Exhibit} 3: HB 2362, written testimony, Marilyn Lorange, 1 p  
1:20:39 PM {Exhibit} 4: HB 2362, written testimony, Tom Cramer, 2 pp  
1:36:41 PM {Exhibit} 5: HB 2667, -1 amendments, staff, 9 pp  
1:36:41 PM {Exhibit} 6: HB 2667, -2 amendments, staff, 3 pp  
1:36:41 PM {Exhibit} 7: HB 2667, -3 amendments, staff, 7 pp  
1:36:41 PM {Exhibit} 8: HB 2667, -4 amendments, staff, 9 pp

**1:48:18 PM** {Exhibit} 9: HB 3160, written testimony, Jim McCauley, 2 pp  
**1:56:28 PM** {Exhibit} 10: HB 3160, written testimony, Oregon Association of  
Community Corrections Directors, 1 p  
**1:57:51 PM** {Exhibit} 11: HB 3285, written testimony, Brian Belleque, 2 pp  
**2:00:19 PM** {Exhibit} 12: HB 3285, written testimony, Gretchen Vala, 1 p  
**2:06:20 PM** {Exhibit} 13: HB 3286, written testimony, Brian Belleque, 1 p  
**2:16:16 PM** {Exhibit} 14: HB 3309, written testimony, Doug Harclerod, 1 p  
**2:19:56 PM** {Exhibit} 15: HB 3309, written testimony, Max Williams, 1 p  
**2:20:26 PM** {Exhibit} 16: HB 2942, -1 amendments, staff, 39 pp  
**2:21:26 PM** {Exhibit} 17: HB 2942, written testimony, Kirstin Heydel, 1 p  
**2:33:27 PM** {Exhibit} 18: HB 2942, written testimony, Christine Herrman, 2 pp  
**2:41:18 PM** {Exhibit} 19: HB 2942, written testimony, Sybil Hebb, 2 pp  
**2:59:50 PM** {Exhibit} 20: HB 2942, written testimony, Wendy Anderson, 1 p

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