



HOUSE COMMITTEE ON JUDICIARY

Full Committee

January 23, 1981 1:40 p.m. 350 State Capitol

Members Present: Representative Tom Mason, Chairperson  
Representative Joyce Cohen  
Representative Ted Bugas  
Representative Dick Springer  
Representative Peter Courtney  
Representative Norm Smith  
Representative Kip Lombard

Excused: Representative Bill Rutherford  
Representative Margie Hendriksen

Staff: Steve Griffith, Legal Counsel  
Ellen Rogers, Committee Assistant

Witnesses: Peter F. Sandrock, Jr., D.A. for Benton County  
Betty Browne, Board of Parole  
Bob Watson, Corrections Division  
Stephen Scheer, Private Citizen

Tapes: H-81-JUD-19  
H-81-JUD-20  
H-81-JUD-21

TAPE 19  
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000 CHAIRPERSON MASON called the meeting to order at 1:40 p.m. and opened work session for the introduction of the Governor's bill on racial harassment. He explained that the Executive Department asked that House Judiciary introduce it as a committee bill. ✓

009 Hearing no discussion or objection, the introduction of the draft as a committee bill was so ordered.

010 CHAIRPERSON MASON opened the public hearing on release procedures of the Corrections Division and Parole Board.

017 PETER SANDROCK, District Attorney for Benton County, stated that with regard to the release procedures of the Corrections Division, the thirty day and ninety day leaves are currently being stacked one behind the other, making them consecutive and effectively creating release of some inmates as much as six to eleven months prior to their already generous parole dates.

He explained that not just minor offenders are benefiting from the releases. Some of them are serious, violent offenders.

release and that he will not return to the institution prior to his parole.

MR. SANDROCK stated that several parole and probation officers had told him about inmates who have been released on 30 or 90 day leaves and the first thing that they know about it is when the inmate shows up on their doorstep with a home address listed as the field services office. They have no place to go, they have no resources, and it takes the parole officer a whole week just to find that individual a job and a place to stay.

The probation and parole officers are already overworked and temporary leaves that are handled in that way take a great deal of time away from their other cases.

MR. SANDROCK recognized the problems facing both the Parole Board and the Corrections Division but he didn't feel that it was appropriate to allow the public to believe that some of the decisions aren't having an impact on public safety.

141 REP. COURTNEY asked Mr. Sandrock if he knew the number of releasees in Benton County.

144 MR. SANDROCK replied that one of the problems is that he was not informed of the releases. The only reason why he knew about Hunter was because he had gotten a call from the victim. He didn't have any hard statistics. His approach had to be anecdotal.

167 CHAIRPERSON MASON stated that he sent the Board of Parole a letter (Exhibit I, Corrections). He asked Betty Browne to respond.

176 BETTY BROWNE, Chairperson, Board of Parole, remarked that the Board of Parole and Corrections are separate entities. She stated that all of the matrix development since the statute in 1977 has been a result of advice from the Judicial Advisory Commission made up of the Parole Board members, and Chairman Robert E Jones of Multnomah, and three other judges. Mr. Watson is ex officio member of the Judicial Advisory Commission and the Governor's legal advisor, Jim Russell, is a member of the committee to vote in case of a tie.

BETTY BROWNE brought written testimony to answer Chairperson Mason's questions (Exhibit J, Corrections).

324 CHAIRPERSON MASON stated that assault in Oregon is extremely serious physical harm. The shooting of one individual by the other is, under our law, called assault.

336 BETTY BROWNE went on with her testimony (Exhibit J, Corrections).

- 112 BETTY BROWNE replied that a good portion of them were not.
- 127 REP. BUGAS asked if there was any consideration on the part of the Board about the problem with overloading the Salem area.
- 139 BETTY BROWNE replied that she had not heard of anything.
- 162 REP. COURTNEY asked if the comment made by Mr. Sandrock about the parolees showing up at the parole officers door with nowhere to go was accurate.
- 165 BETTY BROWNE replied that that came under the Corrections Division and she felt that Bob Watson could answer the question better than she could.
- 172 REP. COURTNEY asked when someone was paroled if the Parole Board knew where they were going to live.
- 173 BETTY BROWNE replied that they did but they didn't know if they were going to stay.
- 178 REP. COURTNEY asked if the Parole Board had discussed the fact that it would put quite an impact on the community in Salem.
- 180 BETTY BROWNE replied that the board was aware that the community feels that they are bearing an undue burden in addition to having the institutions in their community.
- 225 BETTY BROWNE went on with her testimony (Exhibit J, Corrections).
- 263 REP. COURTNEY asked if prisoners were still being released per Judge Burns' order.
- 265 BETTY BROWNE replied that they parole prisoners today under the modification of matrix in light of Judge Burns' order.
- 281 CHAIRPERSON MASON felt that nobody would deny that the Burns' decision has not had an effect on policy. He asked if the change in matrix was an across the board reduction.
- 290 BETTY BROWNE replied that for the average case that was correct.
- 293 CHAIRPERSON MASON asked if there was any consideration of the alternative of an increased reduction in specific catagories of less dangerous offenders.
- 301 BETTY BROWNE replied that they dealt more generously with the property and the victimless criminals, but they still had the hammer over their heads with the Judge Burns' order.
- 350 BETTY BROWNE went on with her testimony (Exhibit J, Corrections).

Burns' period 17 have had consecutive leaves and always on the 30 day format.

259 Every person granted a temporary leave must report to the police agency in the area and have an officer sign a leave slip to prove that he was there. This notification only went to the area where his leave was granted not to the area in which he was convicted.

There are a lot of people whose parole dates have been advanced. They didn't think it was fair to make those people go through the 6 month prior to parole release notice requirement when it may be within 2 or 3 months of their parole.

292 REP. SPRINGER asked, during a leave period, what supervision is maintained.

302 MR. WATSON replied that in Mr. Hunter's case he had been contacted every 3 days since his leave was granted.

374 REP. BUGAS asked Mr. Watson if he felt that Salem was taken care of as far as staff to deal with the burden.

378 MR. WATSON stated that Salem is getting a bulge like everywhere else.

384 REP. COURTNEY asked, given the 14.8 percent, what kind of staffing does the Corrections Division not have in terms of people in the field for the Salem area.

388 MR. WATSON replied that he would prefer to have 4 or 5 people, but now he only has two.

398 REP. COURTNEY asked if they had any intentions of moving into a different part of the state to take the load off of Salem.

402 MR. WATSON replied that if they could locate the resources that develop jobs, people will be attracted to those areas.

TAPE 20  
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012 STEPHEN SCHEER, Private Citizen, stated that Betty Browne testified that on the average, an inmate is serving 31 months. Those figures are influenced by the fact Corrections Division has been trying to release people as quick as possible to meet Judge Burns' order.

He felt that after the population goes down to a certain point it will go back up again. Oregon is ranked 7th in the nation in incarceration.

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008 Hearing no further discussion the committee was adjourned at 3:50  
p.m.

Submitted



Ellen Rogers  
Committee Assistant

EXHIBITS

- Exhibit I, Corrections - Submitted by Staff
- Exhibit J, Corrections - Submitted by Betty Browne, Parole Board
- Exhibit K, Corrections - Submitted by Bob Watson, Corrections Division
- Exhibit L, Corrections - Submitted by Stephen Scheer, Private Citizen