

SB 836 A STAFF MEASURE SUMMARY

Senate Committee On Judiciary and Ballot Measure 110 Implementation

Action Date: 04/13/21

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 4-2-1-0

Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski

Nays: 2 - Linthicum, Thatcher

Exc: 1 - Heard

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Amie Fender-Sosa, Counsel

Meeting Dates: 3/29, 4/13

WHAT THE MEASURE DOES:

Directs the Department of Corrections (DOC) to establish a process for regular communication with adults in custody (AIC) participating in alternative incarceration programs regarding program changes. Requires that alternative incarceration programs be trauma-informed and gender-responsive. Requires the DOC to consider all alternative options before suspending or terminating an alternative incarceration program in its entirety for more than five consecutive days. Requires the DOC to report to the committees of the Legislative Assembly related to the Judiciary within 14 days of DOC suspending or terminating an alternative incarceration program. Requires DOC to regularly report data to committee concerning interruptions to alternative incarceration programs and delays in release resulting from interruptions of programs. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Programs suspended during the COVID-19 pandemic with adults in custody (AICs) receiving little or no information on suspensions or program changes
- Effects of lack of communication on AICs
- Treatment and behavioral health programs
- Impact of program changes on release dates

EFFECT OF AMENDMENT:

Requires the Department of Corrections (DOC) to consider all alternative options before suspending or terminating an alternative incarceration program in its entirety for more than five consecutive days. Requires the DOC to report to the the committees of the Legislative Assembly related to the Judiciary within 14 days of suspending or terminating an alternative incarceration program. Requires the DOC to regularly report data to committee concerning interruptions to alternative incarceration programs and delays in release resulting from interruptions of programs. Eliminates requirement that alternative incarceration programs be available at all DOC facilities.

BACKGROUND:

An alternative incarceration program (AIP) is an intensive prison program for select inmates to address criminal risk factors. Alternative incarceration was established by House Bill 2481 (1993), creating the Summit program. Ten years later, the 2003 Oregon Legislative Assembly authorized the Department of Corrections (DOC) to establish residential AIPs that emphasize intensive alcohol and drug treatment (House Bill 2647).

SB 836 A STAFF MEASURE SUMMARY

Senate Bill 836 A requires the DOC to consider all other alternative options before suspending or terminating an alternative incarceration program in its entirety for more than five consecutive days and directs the DOC to establish a process of regular communication with AICs participating in an alternative incarceration program regarding program changes.