

SB 651 A STAFF MEASURE SUMMARY

Carrier: Rep. Morgan

House Committee On Judiciary

Action Date: 05/18/21

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 10-0-0-0

Yeas: 10 - Bynum, Dexter, Helm, Kropf, Lewis, Morgan, Noble, Power, Wallan, Wilde

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 4/27, 5/4, 5/18

WHAT THE MEASURE DOES:

Requires a probation officer to notify a probationer of the right to file an objection and have a hearing when certain probation condition modifications are proposed.

ISSUES DISCUSSED:

- Existing forms available to provide notice of changes to conditions and right to a hearing
- Appointment of defense attorney in probation cases
- Current notification procedures

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Under Oregon law, when the court orders a defendant placed under the supervision of the Oregon Department of Corrections or a community corrections agency, the supervising officer may file with the court a proposed modification to the special conditions of probation. See ORS 137.540. The supervising officer is required to provide a copy of the proposed modification to the district attorney and the probationer. If the district attorney files an objection to the proposed modification less than five judicial days after the proposed modification was filed, the court shall schedule a hearing no later than 10 judicial days after the proposed modification was filed, unless the court finds good cause to schedule a hearing at a later time.

Senate Bill 651 A requires a probation officer to notify a probationer of the right to file an objection and have a hearing when certain probation condition modifications are proposed.