

HB 3275 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Amie Fender-Sosa, LPRO Analyst

Meeting Dates: 3/9, 3/21

WHAT THE MEASURE DOES:

Provides that if the community corrections appropriation is less than the baseline calculated amount, a county may stop providing correctional services that have been transferred to the county, and the portion of funding made available to the county through financial grants for community corrections (Grant-in-Aid program) reverts to the Department of Corrections (DOC). States that other than offenders convicted of designated drug-related misdemeanors or designated person misdemeanors, responsibility for and supervision of and provision of correctional services for misdemeanor offenders remains with the county. Refers to current statutory definitions for "designated drug-related misdemeanors" and "designated person misdemeanors".

REVENUE: No revenue impact

FISCAL: No fiscal impact

ISSUES DISCUSSED:

- SB 1145 (1997) made counties the default for all parole and probation functions
- Opt-out in SB 1145 allows counties to return supervision to DOC if the Legislature does not fully fund community corrections under DOC funding formula
- Originally only felony cases were funded by the state; specific misdemeanors were later added to the funding formula
- Aligns statute with current supervision and funding practices

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 423.483 requires each county, in partnership with DOC, to assume responsibility for community-based supervision, sanctions and services for offenders convicted of felonies, designated drug-related misdemeanors or designated person misdemeanors who are: on parole, on probation, on post-prison supervision, sentenced to 12 months or less incarceration, sentenced to for violation of parole, probation or post-prison supervision, or on conditional release. Of Oregon's 36 counties, the Department of Corrections (DOC) operates Community Corrections in Linn and Douglas counties. Community Corrections activities include supervision, community-based sanctions, and services directed at offenders who have committed felony and certain misdemeanor crimes and have been placed under community supervision by the courts.

HB 3275 would clarify what categories of adults on county supervision through the Grant-in-Aid Program would return to state supervision if the community corrections appropriation is below the current service level.