

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 1070 - A

82nd Oregon Legislative Assembly – 2023 Regular Session
Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

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Measure Description:

Requires sentencing court to consider as mitigation evidence whether defendant was subjected to domestic abuse that was contributing factor in criminal behavior.

Government Unit(s) Affected:

Office of the Governor, Oregon Youth Authority, District Attorneys, Judicial Department, Public Defense Services Commission, Department of Justice, Department of Corrections, Counties, Cities, Task Force/Committee/Workgroup, Criminal Justice Commission, Legislative Policy and Research Office

Analysis:

This fiscal impact statement is for the purpose of transmitting the measure from the Senate Committee on Judiciary to the Senate Committee on Rules.

The measure establishes the Task Force on Services and Support for Incarcerated Domestic Violence Survivors and directs the Legislative Policy and Research Director to provide support staff to the task force. The task force is repealed on January 2, 2025.

The measure requires the sentencing court to consider, when determining mitigation, whether the defendant was subjected to domestic abuse by a family or household member, the domestic abuse was ongoing when the defendant’s criminal behavior occurred and sentencing the defendant to a presumptive or mandatory sentence would be unduly harsh. The measure authorizes the court, if substantial and compelling reasons justify a lesser sentence, may impose any other sentence in accordance with the rules of the Criminal Justice Commission.

A more complete fiscal analysis on the measure will be prepared as the measure is considered in the Senate Committee on Rules.

Further Analysis Required