

HB 3275 STAFF MEASURE SUMMARY**Carrier:** Sen. Manning Jr**Senate Committee On Judiciary**

Action Date: 05/03/23
Action: Do pass.
Vote: 3-0-1-1
Yeas: 3 - Gelser Blouin, Manning Jr, Prozanski
Exc: 1 - Thatcher
Abs: 1 - Linthicum
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Amie Fender-Sosa, LPRO Analyst
Meeting Dates: 4/27, 5/3

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."

ISSUES DISCUSSED:

- Ensures that all probation cases continue to be supervised regardless of who is responsible for who is supervising (county or state)
- Current law contains an opt-out clause, allowing counties to opt out of supervision
- When the law was passed in 1997, the state was only responsible for supervising felony cases; since that time, misdemeanor cases have been added to the formula
- Measure would align the law with current practice

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 423.483 requires each county, in partnership with the Department of Corrections (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 for violation of parole, probation or post-prison supervision, or on conditional release. Of Oregon's 36 counties, 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.

House Bill 3275 clarifies 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.