

House Bill 3430

Sponsored by Representative EVANS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of Corrections to contract with vendor for creation and maintenance of victim notification system. Specifies requirements of system and contract process and effect of non-compliance with requirements.

Directs district attorney to notify victim when release of defendant is likely to occur within six months.

A BILL FOR AN ACT

1 Relating to victim notification; creating new provisions; and amending ORS 147.421.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. (1)(a) The Department of Corrections shall contract with a vendor for the**
4 **creation and maintenance of a victim notification system website that allows persons to re-**
5 **quest notification prior to the release of a person from a department facility or a local**
6 **correctional facility.**

7
8 **(b) The victim notification system described in this subsection must be of the type and**
9 **quality used by the majority of other states.**

10 **(2) When negotiating and entering into a contract with a vendor for the provision of the**
11 **victim notification system described in this section, the department shall ensure that the**
12 **process is transparent and in conformance with ORS chapters 279A, 279B and 279C.**

13 **(3)(a) If the department intends to change the vendor providing the victim notification**
14 **system described in this section, the department shall convene an advisory committee to**
15 **advise the department on the manner of proceeding. The committee shall consist of at least**
16 **one district attorney, at least one member of the Legislative Assembly and at least two**
17 **members of the victims' rights community, and may include a criminal defense attorney.**

18 **(b) The meetings of the advisory committee shall be open to the public and any advice**
19 **provided by the committee to the department shall be made available to the public.**

20 **(4) Except as otherwise provided by law or any applicable collective bargaining agree-**
21 **ment, when the department takes an action that is not in compliance with the requirements**
22 **of subsections (1) to (3) of this section:**

23 **(a) The Director of the Department of Corrections may dismiss for just cause any man-**
24 **agerial employee as defined in ORS 243.650 who is responsible for the noncompliance.**

25 **(b) If the Governor determines that the director bears responsibility for the noncompli-**
26 **ance, the Governor shall remove the director as described in ORS 423.075.**

27 **(5) As used in this section, "local correctional facility" has the meaning given that term**
28 **in ORS 169.005.**

29 **SECTION 2.** ORS 147.421 is amended to read:

30 147.421. (1) If a public body is the custodian of any of the following information, upon the re-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 quest of the victim, the public body shall provide to the victim any of the following information of
2 which it is the custodian and that is about the defendant or convicted criminal:

- 3 (a) The conviction and sentence;
- 4 (b) Criminal history;
- 5 (c) Imprisonment; and
- 6 (d) Future release from physical custody.

7 (2) A public body, in its discretion, may provide the requested information by furnishing the
8 victim with copies of public records. The public body may charge the victim its actual cost for
9 making public records available as provided in ORS 192.324 (4).

10 **(3) A district attorney shall, upon the request of the victim, provide the victim with in-**
11 **formation concerning the future release of the defendant when the district attorney deter-**
12 **mines that release is likely to occur within the following six months.**

13 [(3)] (4) As used in this section:

14 (a) "Criminal history" means a description of the prior arrests, convictions and sentences of the
15 person.

16 (b) "Future release" means the projected or scheduled date of release of the person from con-
17 finement, the name and location of the correctional facility from which the person is to be released
18 and the community where the person is scheduled to reside upon release.

19 (c) "Imprisonment" means the name and location of the correctional facility in which the person
20 is confined.

21 (d) "Public body" has the meaning given that term in ORS 192.311.

22
