



Legislative Fiscal Office  
83<sup>rd</sup> Oregon Legislative Assembly  
2025 Regular Session

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**Bill Title:** Relating to the offense of attempting to elude a police officer.

**Government Unit(s) Affected:** District Attorneys, Department of Justice, Judicial Department, Cities, Public Defense Commission, Criminal Justice Commission, Department of Corrections, Oregon Youth Authority, Counties

### Summary of Fiscal Impact

2025-27 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of Corrections	\$ 37,971	\$ -	\$ -	\$ -	\$ 37,971	-	-
<b>Total Fiscal Impact</b>	<b>\$ 37,971</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 37,971</b>	<b>-</b>	<b>-</b>
2027-29 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of Corrections	\$ 685,680	\$ -	\$ -	\$ -	\$ 685,680	-	-
<b>Total Fiscal Impact</b>	<b>\$ 685,680</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 685,680</b>	<b>-</b>	<b>-</b>

- ORS 173.029 requires the Legislative Fiscal Office to estimate the 10-year fiscal impact on state and local government for measures with an effect on crimes and sentencing. An initial estimate of the measure's potential 10-year fiscal impact on correctional populations and associated costs is included below within the fiscal analysis section.

### Measure Description

The measure requires the Criminal Justice Commission (CJC) to classify the crime of fleeing or attempting to elude a police officer as a crime category six or category eight on the sentencing guidelines grid and a person felony if the defendant meets specific circumstances.

Under current law, the crime of fleeing or attempting to elude a police officer is either a Class A misdemeanor or Class C felony based on the circumstances. Felony fleeing or attempting to elude a police officer is a category two on the sentencing guidelines grid and can result in 18 months of probation under a level two.

Under the measure, the crime category for fleeing or attempting to elude a police officer would raise in three circumstances:

- The crime category would increase from a level two to a level six if a defendant has had one or more prior convictions or an equivalent crime in another jurisdiction in the 10 years prior to the current charge;
- The crime category would increase from a level two to a level six and a person felony, if the defendant's acts resulted in physical injury to another person; or
- The crime category would increase from a level two to a level eight and a person felony, if the defendant's actions resulted in a serious physical injury to another person.

Crime category six sentencing can range from three years of probation to 30 months in prison, followed by two years of post-prison supervision and a crime category eight sentencing can range from 16 to 45 months in prison followed by three years of post-prison supervision.

**Fiscal Analysis**

The fiscal impact of the measure is estimated to be \$37,971 General Fund in the 2025-27 biennium and \$685,680 General Fund in the 2027-29 biennium. These costs are estimated to increase to \$2.4 million General Fund in future biennia.

Department of Corrections

The estimated impact on the Department of Corrections (DOC) is \$37,971 General Fund in the 2025-27 biennium and \$685,680 General Fund in the 2027-29 biennium. These costs will increase to \$1.9 million General Fund in 2029-31, \$2.3 million General Fund in 2031-33, and \$2.4 million General Fund in 2033-35. The Legislative Fiscal Office (LFO) notes that the increase between biennia is due in part to the measure becoming effective mid-biennium in 2025-27 and the gradual increase of sentencing costs as new offenses after the effective date occur, get prosecuted, and then face sentencing.

The estimated costs result from an anticipated increase in felony fleeing or attempting to elude a police officer conviction sentenced as a crime category level six or eight under the measure and its effect on community corrections and DOC prison populations. To determine the impact of the increased sentencing, the Criminal Justice Commission (CJC) utilized conviction and sentencing data on felony fleeing or attempting to elude a police officer. Based on that data, CJC anticipates the measure will result in an additional 101 category six sentences a year, or 202 sentences in the 2025-27 biennium. CJC estimates 27% of crime category level six convictions will be sentenced to a DOC facility, with an average sentence length of 21 months, and 60% of crime category level six convictions will be sentenced to probation, with an average sentence length of 37 months. Additionally, CJC also anticipates an additional four crime category eight convictions per year, or eight additional crime category eight convictions for the 2025-27 biennium. CJC estimates 51% of crime category eight convictions will be sentenced to a DOC facility, with an average sentence length of 23 months, and 48% of crime category eight convictions will be sentenced to probation, with an average sentence length of 42 months.

The fiscal impact assumes a three-month lag between the measure's effective date and the date first offenders may be received through the criminal justice system. The cost estimates include funds that would be distributed to county community corrections departments for the costs of probation, post-prison supervision, and local control. As part of the cost calculations, the estimated marginal cost per day for a DOC facility is \$26.05 per offender and the estimated cost per day for probation is \$15.09 per offender.

Should this measure become law, any deviation between the estimates assumed in this fiscal analysis and the actual number of criminal cases, convictions, and length of sentences issued would be incorporated in the Department of Administrative Services - Office of Economic Analysis corrections population forecast. These forecasts are issued twice per year and used to determine any necessary budget modifications to the agency.

Other entities

There is a minimal fiscal impact on the Oregon Judicial Department, District Attorneys, and Public Defense Commission and no fiscal impact to the Department of Justice, Oregon Youth Authority, CJC, cities and counties. LFO notes that while there is minimal impact on the courts, prosecution, and public defense, the increase in sentence severity may cause an increase in hours spent with prosecuting and defending a case. However, such an impact is indeterminate.

**Relevant Dates**

The measure takes effect on January 1, 2026.