

SB 469 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 4/1, 4/7, 4/8, 4/9

WHAT THE MEASURE DOES:

The measure requires the State Board of Parole and Post-Prison Supervision to study parole law in this state.

ISSUES DISCUSSED:

- Procedural uncertainty from multiple overlapping hearings in the release process
- Evaluation timeline for the board to assess an individual's rehabilitation capability
- Notification process for informing individuals of eligibility and petition timelines

EFFECT OF AMENDMENT:

The amendment replaces the measure. It modifies the parole hearing process for adults in custody who are convicted of murder or aggravated murder and sentenced to life imprisonment. It requires the State Board of Parole and Post-Prison Supervision to hold a hearing upon petition once the individual has served the minimum sentence and requires the board to alter the sentence to life imprisonment with the possibility of parole, post-prison supervision, or work release when it unanimously determines that the adult in custody is capable of rehabilitation and that continued confinement is no longer necessary. The board must set a release date within 60 days of the hearing and may order psychological evaluations to support its assessment.

The amendment applies to individuals convicted of crimes committed on or after November 1, 1989. It exempts those granted a release date under this process from further prison term hearings or release postponements during exit interviews. It also requires the board to include findings of fact for each contested issue in its final order. Additionally, the amendment updates statutory language by replacing the term "prisoner" with "adult in custody."

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BACKGROUND:

Under current Oregon law, individuals convicted of murder or aggravated murder may be sentenced to life imprisonment with or without the possibility of parole, work release, or post-prison supervision. After serving the required minimum term of confinement—typically 25—an individual may petition the State Board of Parole and Post-Prison Supervision for a review hearing. At this "murder review hearing," the board evaluates whether the individual is likely to be rehabilitated within a reasonable period of time. If the board makes a positive finding, it may change the terms of confinement to allow parole or other forms of supervised release. In such cases, individuals may still be subject to additional parole-related hearings before release, including prison term hearings and exit interviews, which may affect the timing of their release.

Senate Bill 469, as amended, modifies this process. The measure applies to individuals convicted of murder or aggravated murder and sentenced to life imprisonment, with or without the possibility of parole, work release, or post-prison supervision. It authorizes the board to order psychological evaluations and requires the board to set a release date 60 days after the murder review hearing if it finds the individual capable of rehabilitation and determines that the terms of confinement should be changed. The bill limits eligibility for post-prison supervision to individuals who committed their offenses on or after November 1, 1989. Once a release date is set, the individual is no longer subject to a prison term hearing or postponement at an exit interview. The measure also requires the board to include findings of fact on each contested issue in its final order and replaces statutory references to "prisoner" with "adult in custody."