



Legislative Fiscal Office
 83rd Oregon Legislative Assembly
 2025 Regular Session

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Bill Title: Relating to sentencing; declaring an emergency.

Government Unit(s) Affected: Department of Human Services, District Attorneys, Public Defense Commission, Criminal Justice Commission, Counties, Department of Corrections, Judicial Department

Summary of Fiscal Impact

2025-27 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of Corrections	\$ 4,599,964	\$ -	\$ -	\$ -	\$ 4,599,964	2	1.75
Total Fiscal Impact	\$ 4,599,964	\$ -	\$ -	\$ -	\$ 4,599,964	2	1.75

2027-29 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of Corrections	\$ 4,864,120	\$ -	\$ -	\$ -	\$ 4,864,120	2	2.00
Total Fiscal Impact	\$ 4,864,120	\$ -	\$ -	\$ -	\$ 4,864,120	2	2.00

Measure Description

The measure repeals and modifies sections of the Family Sentencing Alternative Pilot Program (FSAPP) including removing the sunset date, making the program permanent and removing “Pilot” from the title, defines eligibility requirements of the defendant to participate in the program, and requires that services provided are culturally specific to the defendant whenever possible. The measure also requires the Department of Corrections (DOC) and the Department of Human Services (DHS) to jointly submit a report regarding program outcomes and data related to the efficacy of the program to the Legislature by January 1 of each year.

HB 3503 (2015) established a 10-year pilot of the FSAPP, allowing eligible parents to participate in a supervision and treatment program specific for parents and families instead of going to prison to fulfill their sentence. DOC, circuit court, community correction agencies, and DHS were directed to work together to implement the pilot program which sunsets July 1, 2025. HB 3078 (20217) expanded the eligibility criteria for FSAPP and required the Criminal Justice Commission (CJC) to study the impacts of the program on prison utilization recidivism, and public safety to be reported to the Legislature annually. DOC reports having provided services to over 300 participants under the pilot program over the past 10 years. The pilot program diverts offenders from being housed in a DOC facility at an estimated marginal cost per day of \$26.05, with the offenders instead under county supervision at a cost per day of \$15.09.

Fiscal Analysis

The fiscal impact is estimated to be \$4.6 million General Fund and two positions (1.75 FTE) in the 2025-27 biennium and \$4.9 million General Fund and two positions (2.00 FTE) in the 2027-29 biennium.

Department of Corrections

The estimated fiscal impact on DOC is \$4.6 million General Fund and two positions (1.75 FTE) in the 2025-27 biennium and \$4.9 million General Fund and two positions (2.00 FTE) in the 2027-29 biennium.

DOC currently operates the FSAPP as directed under HB 3503 (2015) and expanded under HB 3078 (2017). For the 2023-25 biennium, DOC's budget included \$2.2 million General Fund for FSAPP. Under the current program, FSAPP has a total of five positions funded through DOC's budget, one permanent full-time Administrative Specialist 2 position (1.00 FTE) to coordinate the overall program and four Parole and Probation Officer positions who are county employees, that are funded through the Community Corrections program. As a result, the current program is fully funded by the state, but only the Administrative Specialist 2 is a state employee. The Parole and Probation Officer positions reside within participating counties. With the elimination of the program's sunset date, DOC anticipated continuing the current program and associated positions at an estimated cost of \$2.7 million General Fund in the 2025-27 biennium and \$2.7 million General Fund in the 2027-29 biennium.

Under the measure, DOC can expand the program to other counties who express interest in participating. DOC must establish a process for selecting additional counties to participate who express interest to join and voluntarily participate in the program. DOC has already had program expansion interest from three counties to participate and anticipates the fiscal impact of the measure reflects the addition of those three counties. The estimated costs of the expansion would include a permanent full-time Parole and Probation Officer position to serve in participating counties, and a permanent full-time Administrative Specialist 2 position (0.75 FTE in 2025-27 and 1.00 FTE in 2027-29) within DOC to help with program coordination and support. Total costs of the positions, including standard position-related services and supplies costs, is \$1.9 million General Fund in the 2025-27 biennium and \$2.1 million General Fund in the 2027-29 biennium. As noted above, the Parole and Probation Officer positions are county employees funded through the Community Corrections program, so no position or FTE counts are included in the table.

To grow the program beyond the existing pilot and three additional expansion counties would require additional funding beyond what is included in the fiscal impact statement, and selection for participation is predicated on overall available funding for the program. As such, additional interest could preclude additional counties from participation absent additional funding in the future. Each additional county who is selected by DOC to participate will add an additional Parole and Probation Officer position and would cost an estimated additional \$627,238 General Fund per biennium.

Other entities

There is a minimal impact to District Attorneys, Oregon Judicial Department, and counties.

There is no fiscal impact to DHS, CJC, or the Public Defense Commission.

Relevant Dates

The measure declares an emergency and takes effect on passage.

The provisions of this measure are operative June 30, 2025 and apply to all actions of the agency retroactively to this date if the measure is not signed into law by June 30, 2025.