

B-Engrossed
House Bill 2555

Ordered by the House June 19
Including House Amendments dated April 7 and June 19

Sponsored by Representative NELSON, Senator MANNING JR; Representatives ANDERSEN, CHAICHI, CHOTZEN, GRAYBER, NGUYEN H, PHAM H, RUIZ, Senators FREDERICK, GELSER BLOUIN, GORSEK, PHAM K, PROZANSKI, REYNOLDS (Pre-session filed.)

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes changes to a pilot program for family sentencing in court. (Flesch Readability Score: 63.4).

Changes the name of the Family Sentencing Alternative Pilot Program to the Family Sentencing Alternative Program. Makes the program permanent. Modifies eligibility requirements for the program to include all sentences for which a defendant is eligible for a downward dispositional departure.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to sentencing; creating new provisions; amending section 1, chapter 673, Oregon Laws 2017;
3 repealing sections 1 and 4, chapter 830, Oregon Laws 2015; and declaring an emergency.

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

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6 **FAMILY SENTENCING ALTERNATIVE PROGRAM**

7
8 **SECTION 1. (1) The Department of Corrections, in partnership with the circuit court and**
9 **community corrections agencies of participating counties and the Department of Human**
10 **Services, shall establish the Family Sentencing Alternative Program.**

11 **(2) A defendant is eligible for the Family Sentencing Alternative Program if:**

12 **(a) The defendant's presumptive sentence under the sentencing guidelines of the Oregon**
13 **Criminal Justice Commission is a term of imprisonment in the legal and physical custody of**
14 **the Department of Corrections of at least one year; and**

15 **(b) The defendant is pregnant at the time of sentencing or is the parent or legal guardian**
16 **of a minor child and at the time of the offense or sentencing had physical custody of the**
17 **child.**

18 **(3)(a) If the defendant meets the eligibility requirements described in subsection (2) of**
19 **this section and is eligible for a downward dispositional departure under the rules of the**
20 **Oregon Criminal Justice Commission, the court may order that the defendant sign a release**
21 **authorizing the Department of Human Services to provide the community corrections agency**
22 **with written confirmation of, and consultation concerning, any open or current juvenile de-**
23 **pendency proceeding or any prior substantiated allegation of abuse or neglect involving the**
24 **defendant and a minor child.**

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 (b) The court may consider eligibility in the Family Sentencing Alternative Program as
2 a mitigating factor when determining whether to sentence the defendant to probation, with
3 a requirement that the defendant participate in the program as a condition of probation, as
4 a downward dispositional departure under the rules of the commission.

5 (4) After receipt of the information described in subsection (3) of this section, the com-
6 munity corrections agency, in consultation with the Department of Human Services, shall
7 determine if the Family Sentencing Alternative Program is an appropriate program for the
8 defendant and, if the program is appropriate and the defendant is sentenced to a term of
9 probation, require participation in the program for the probationary sentence. In addition to
10 the conditions of probation ordered under ORS 137.540, the defendant may be required to
11 comply with any additional conditions related to the program, including but not limited to:

12 (a) Geographical restrictions, including house arrest and electronic surveillance;

13 (b) Participation in vocational training; and

14 (c) Completion of:

15 (A) Parenting skills classes;

16 (B) Drug or alcohol treatment;

17 (C) Mental health treatment; or

18 (D) Life skills classes.

19 (5) The Department of Human Services and community corrections agencies shall coop-
20 erate with the Department of Corrections in implementing the Family Sentencing Alterna-
21 tive Program described in this section.

22 (6) The Department of Human Services and the Department of Corrections shall jointly
23 submit a report concerning the Family Sentencing Alternative Program, which must include
24 program outcomes and data related to the efficacy of the program, and which may include
25 recommendations for legislation, in the manner provided by ORS 192.245, to the interim
26 committees of the Legislative Assembly related to the judiciary no later than January 1 of
27 each year.

28 (7) The Department of Corrections shall establish a process for selecting counties to
29 participate in the Family Sentencing Alternative Program.

30 (8) The Department of Corrections and the Department of Human Services may adopt
31 rules to carry out the provisions of this section.

32 (9) Services provided under the Family Sentencing Alternative Program must be cul-
33 turally specific and gender-responsive whenever possible.

34 **SECTION 2.** (1) Section 1, chapter 830, Oregon Laws 2015, as amended by section 2,
35 chapter 673, Oregon Laws 2017, is repealed.

36 (2) Section 4, chapter 830, Oregon Laws 2015, is repealed.

37 **SECTION 3.** The Legislative Assembly intends that if this 2025 Act becomes law after
38 June 30, 2025, section 1 of this 2025 Act shall be operative retroactively to June 30, 2025. All
39 actions consistent with section 1 of this 2025 Act taken by the Department of Corrections,
40 the Department of Human Services, a circuit court or a community corrections agency of a
41 participating county, after June 30, 2025, and prior to the effective date of this 2025 Act are
42 hereby ratified and approved.

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44 **CONFORMING AMENDMENTS**
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