

House Bill 3689

Sponsored by Representative RESCHKE

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

Digest: The Act lets the Governor commute prison terms to allow for removal. The Act also tells DOC to work with ICE to identify AICs subject to removal and to report this data to the Governor. (Flesch Readability Score: 60.9).

Authorizes the Governor to commute a person's prison sentence to allow for the removal of the person.

Directs the Department of Corrections to work with federal immigration authorities to identify persons in the custody of the department who are subject to removal, to facilitate participation in removal proceedings during incarceration sentences and to coordinate with the Governor so that any commutation results in the person being transferred directly into the custody of a federal immigration authority.

A BILL FOR AN ACT

1
2 Relating to removal proceedings; creating new provisions; and amending ORS 144.649.

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

4 **SECTION 1.** ORS 144.649 is amended to read:

5 144.649. (1) Upon such conditions and with such restrictions and limitations as the Governor
6 thinks proper, the Governor may grant reprieves, commutations and pardons, after convictions, for
7 all crimes and may remit, after judgment therefor, all penalties and forfeitures.

8 **(2) Notwithstanding ORS 181A.820 and 181A.822 to 181A.829, the Governor may:**

9 **(a) Consult and coordinate with the Department of Corrections and any federal immi-**
10 **gration authority as defined in section 2 of this 2025 Act to identify persons subject to re-**
11 **moval and facilitate removal proceedings.**

12 **(b) If doing so is in the interests of the residents of this state, commute the sentence**
13 **of a person incarcerated in a Department of Corrections facility in order to facilitate or ex-**
14 **pedite the removal of the person.**

15 **SECTION 2.** (1) Notwithstanding ORS 181A.820 and 181A.822 to 181A.829, the Department
16 of Corrections shall:

17 **(a) Consult and cooperate with federal immigration authorities to identify persons in the**
18 **custody of the department who are subject to removal.**

19 **(b) Ensure that persons in the custody of the department are able to participate in re-**
20 **moval proceedings while serving terms of incarceration in order to allow for expedited re-**
21 **moval upon release from custody.**

22 **(c) Share information with the office of the Governor in order to facilitate removal, in-**
23 **cluding but not limited to information concerning persons in the custody of the department**
24 **who are subject to removal.**

25 **(d) Coordinate with the Governor and federal immigration authorities so that a person**
26 **whose sentence has been commuted to facilitate removal is transferred directly into the**

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 custody of a federal immigration authority upon release.

2 (2) As used in this section, “federal immigration authority” means the United States
3 Department of Homeland Security, the United States Immigration and Customs Enforce-
4 ment, the United States Citizenship and Immigration Services, the United States Customs
5 and Border Protection or a successor agency, any other federal immigration agency or offi-
6 cial or any other entity to which a federal immigration agency delegates or assigns the au-
7 thority to detect, investigate or enforce violations of immigration law.

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