



Legislative Testimony

OREGON DEPARTMENT OF CORRECTIONS

March 4, 2013

The Honorable Chris Garrett, Chair
House Rules Committee

RE: House Bill 2686

Chair Garrett and members of the House Rules Committee, I am Cindy Booth, Transition and Reentry Administrator for the Oregon Department of Corrections (DOC). I am here to provide information on House Bill 2686 as it relates to the DOC.

What this Bill Does

HB 2686 requires the department obtain residency information from each inmate (defined as a person committed to the physical and legal custody of the DOC) to determine their last-known residential address prior to incarceration as proof they are or are not a resident of Oregon for purposes of census data used for redistricting. The data will be used by the U.S. Census Bureau to apportion congressional and legislative districts.

Section 6(c) defines "last-known address" as "a residential address, other than a department facility, at which an inmate resided before incarceration" and requires the department adopt by rule an electronic filing system to record specific information for each inmate – to also include race or ethnicity, and whether the inmate is over the age of 18 years – for submission to the Secretary of State.

Concerns Raised by This Bill

Determining 'last-known' address for an incarcerated individual that meets requirements of HB 2686 is very difficult. A segment of the prison population does not have a residential address at the time of their arrest. Many are homeless or lived a transient life prior to spending time in jail following arrest. For many who are long-incarcerated, the department will not be able to confirm last-known address prior to prison as that is not information the department has historically collected or retained – especially not in automated files.

By way of explanation: As part of the department's Intake process, we receive copies of judgment orders and other court documents, and request copies of police reports concerning the crimes for which individuals are sentenced to prison. This information is necessary and required for sentence computation and other legal record mandates concerning persons sentenced to prison. In addition, Intake counselors interview inmates, review DMV records and police and other reports/information that may list one or more addresses attributed to the inmate at the time of their arrest(s). Some inmates arrive at DOC Intake with identification cards, a driver's license and/or other identification documents that are now retained in their case file (a paper/manual file) for use during transition planning and to be made available to the inmate at their release from prison. However, even these documents do not prove last-known address.

County of Residence

Current law focuses on 'county of residence.' Specifically, (ORS 144.102) outlines the Oregon Board of Parole and Post-Prison Supervision (BOPPPS) requirements to order as a condition of post-prison supervision (PPS), the person "reside for the first six months after release in the county that last supervised the person, if the person was on active supervision as an adult for a felony at the time of the offense that resulted in the imprisonment, or if not on active supervision for a felony at the time of the offense for which they were imprisoned, in the county where the person resided at the time of the offense that resulted in the imprisonment.

DOC's transition and reentry planning for every inmate begins four to six months prior to release where a proposed release plan is prepared in collaboration with the inmate, the local supervisory authority (community corrections agency) and other reentry partners and stakeholders. County of residence is confirmed through records listed in statute and administrative rule, and the inmate is asked to provide two or more proposed residences for the county community corrections agency to visit and evaluate. Unfortunately, only about 50% of the approximate 350+ inmates releasing from prison each month have viable housing options at release adding to the county community corrections burden to secure short-term housing at a minimum.

Fiscal Impact

DOC is developing the fiscal impact statement to explain systems changes and/or enhancements needed to comply with the requirements of this bill. At a minimum, the department's aging inmate management system would have to be modified to maintain permanent residence information for regular reporting and in a manner that would not conflict with release planning for "county of residence" required by law. Another option is to develop or purchase an independent electronic filing system to capture and report the last-known residence information required by this bill. Either option will come with software, programming and staff costs.

Submitted by:

The Department of Corrections (DOC)
Cindy Booth, Transition and Reentry Administrator
Cindy.D.Booth@doc.state.or.us
(503) 947-1040