

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: SB 895**

79th Oregon Legislative Assembly – 2017 Regular Session  
Legislative Fiscal Office

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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**Measure Description:**

Expands eligibility for Family Sentencing Alternative Pilot Program to include defendants who are pregnant or who have custody of child at time of sentencing.

**Government Unit(s) Affected:**

Department of Corrections, Department of Human Services (DHS)

**Summary of Expenditure Impact:**

<b>Agency -- Fund Type</b>	<b>2017-19 Biennium</b>	<b>2019-21 Biennium</b>
Department of Corrections -- General Fund		
Prison Costs	(\$65,161)	(\$217,436)
Special Payments	\$29,865	\$58,001
<b>Total Cost</b>	<b>(\$35,296)</b>	<b>(\$159,435)</b>

**Analysis:**

The measure expands eligibility for the Family Sentencing Alternative Pilot Program to include defendants who are pregnant or who have custody of a child at the time of sentencing. The measure directs the Department of Corrections (DOC) to establish a process for selecting counties to participate in the program and that DOC and the Department of Human Services (DHS) to develop rules for the program.

The Criminal Justice Commission (CJC) anticipates that the expansion of eligibility for the program will result in 10 fewer prison admissions per year. CJC notes that many that meet the criteria of the measure would have received a downward departure currently, so under the expanded eligibility of this program, these individuals would now serve a similar sentence length in the community rather than in a DOC facility.

DOC notes that there is no permanent bed capacity and the Department has maximized the use of emergency beds. The reduction of intakes as a result of this measure will first result in the reduction of emergency beds at a cost per day rate of \$23.33. DOC that this reduction in the use of emergency beds will have a corresponding increase in the cost to community corrections departments for local control and probation at a cost per day of \$11.69. The numbers in the table above represent the savings to DOC for the reduction of emergency beds and the special payments to counties.

DHS and DOC anticipate a minimal expenditure impact as a result of rule-making.