

CRIMINAL JUSTICE



This Legislative Summary Report highlights Criminal Justice policy measures that received a public hearing during the 2022 Regular Legislative Session. The report is organized by sub-topics and includes the measure number; the measure status: enacted [✓] or not enacted [✗]; and a brief description of the measure.

Criminal Justice policy sub-topics:

- [Crimes](#)
- [Criminal Procedure](#)
- [Criminal Records](#)
- [Public Safety](#)

Crimes

- [HB 4108](#) ✗ Would have created an aggravated level of permanent physical injury, defined as an injury that directly results in the permanent loss of vision or hearing, or the ability to walk, breathe, eat, or move the person's limbs. The measure would have required the court to impose a 300-month term of imprisonment if a defendant was convicted of having caused permanent physical injury to the victim.
- [HB 4135](#) ✗ Would have defined “attempted transfer,” for purposes of the Uniform Controlled Substances Act, to include possession of a controlled substance with the intent to transfer the controlled substance to another person.
- [HB 4142 A](#) ✗ Would have expanded the crime of assault in the third degree to include intentionally or knowingly causing physical injury to a person working in a hospital while the person is performing official duties.

Criminal Procedure

- [SB 1511 A](#) ✗ Would have created a process by which a person convicted or found guilty except for insanity by a nonunanimous jury verdict could file a petition for post-conviction relief and appropriated funds for expenses to carry out provisions of the measure. The measure would also have provided explicit authority to a district attorney to charge reasonable reimbursement fees for costs related to providing discovery materials and repealed provisions requiring a sentencing court to order a presentence report for felony sexual offenses.

Criminal Procedure, cont'd

- SB 1568 A ✗ Would have modified the process and requirements for early medical release of an adult in custody from prison and created the Medical Release Advisory Committee within the State Board of Parole and Post-Prison Supervision.
- SB 1574 ✓ Modifies the definition of "sexual assault forensic evidence kit" to include the medical-forensic examination form and documentation, so long as the victim authorizes the inclusion of the documents.
- HB 4075 ✓ Modifies procedures for a district attorney to request restitution in criminal cases and establishes that economic damages will be presumed reasonable if the damages are documented as specified in the measure. The measure also specifies that restitution is to be categorized as a Level I (highest priority) obligation in certain court judgments.
- HB 4146 A ✗ Would have required the Department of Administrative Services to contract with a third-party to assess the Coffee Creek Correctional Facility to establish a baseline for a strategic planning, policy recommendations, and improved protections for those serving sentences in the facility.

Criminal Records

- SB 1512 A ✗ Would have restricted how occupational or professional licensing boards could consider criminal convictions of an applicant and established a process for requesting a determination of whether a person's criminal conviction should result in the denial of a license. The measure also would have prohibited inquiries into juvenile court records except for certain employers, agencies, or licensing boards explicitly authorized to do so.
- HB 4110 A ✗ Would have established the Task Force on Victim Access to Police Records to improve crime victims' access to law enforcement records and develop recommendations for standards, processes, and timelines for a victim to request and obtain those records.

Public Safety

- SB 1510 ✓ Reduces law enforcement authority to stop individuals for certain traffic violations, directs the Oregon Criminal Justice Commission to establish a program to award grants to public and private entities for restorative justice programs, and requires that Justice Reinvestment Equity Program funds be distributed to culturally specific and responsive service providers to promote

Public Safety, cont'd

racial equity, reduce racial disparities, reduce recidivism, and decrease the utilization of imprisonment in the criminal justice system.

- SB 1540 ✗ Would have appropriated \$2.6 million to the Department of State Police for funding of the Firearms Instant Check System unit.
- HB 4008 ✓ Authorizes the Commission on Statewide Law Enforcement Standards of Conduct and Discipline to hire an executive director and support staff. The measure also modifies provisions regulating law enforcement's use of certain devices used for crowd management including tear gas, kinetic impact projectiles, and sound devices.
- HB 4050 ✓ Extends a pilot program that provides services to adults in custody at the Coffee Creek Correctional Facility to address legal issues related to community reentry and reintegration, including employment, housing, benefits, and domestic violence.
- HB 4102 A ✗ Would have established the position of Tribal Relations Liaison within the Department of State Police (Department) to serve as the Department's contact person for all tribal governments and indigenous persons within this state. The measure would have required the Board on Public Safety Standards and Training to provide an operational plan for the provision of training for police officers concerning the investigation and reporting of cases involving missing or murdered indigenous persons in Oregon.
- HB 4131 ✗ Would have modified provisions regulating law enforcement's use of certain crowd control tools including tear gas, kinetic impact projectiles, and sound devices.