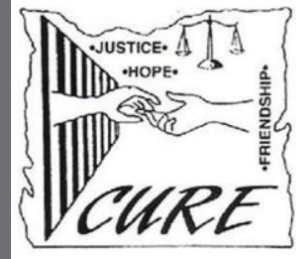


# OREGON CURE

Citizens United for the Rehabilitation of Errants

A Newsletter for Incarcerated People and their Families and Friends

P.O. Box 80193 – Portland, OR 97280 (503) 977-9979



Spring 2021, Volume 64

Here is a list of the 2021 Legislative Bills that we are watching.  
This is up to date as of being sent to print on 4-10-2021

## **SB 401 (In Senate Committee)**

Relating to sentencing; providing for criminal sentence reduction that requires approval by a two-thirds majority.

Converts mandatory minimum sentences for specified felonies other than murder to presumptive sentences. Authorizes court to impose greater or lesser sentence according to sentencing guidelines of Oregon Criminal Justice Commission. Authorizes person receiving presumptive sentence to be eligible for certain programs and sentence reductions.

*("It simply returns control over sentencing to judges. They're free to impose a harsher sentence when the circumstances require it, and a more lenient sentence when the defendant is deserving." D.A. Mike Schmidt.)*

## **SB 191 (in Senate Committee)**

Relating to sentencing; prescribing an effective date; providing for criminal sentence reduction that requires approval by a two-thirds majority.

Provides that person sentenced to mandatory minimum sentence under Ballot Measure 11 (1994) ("One Strike You're Out") for crime other than murder is eligible for reduction in sentence for appropriate institutional behavior and participation in certain programming unless otherwise ordered by court for substantial and compelling reasons. Creates procedure by which sentencing court may enter supplemental judgment authorizing persons currently serving sentences under Ballot Measure 11 (1994) to be eligible for reduction in sentence for appropriate institutional behavior and participation in certain programming. Takes effect on 91st day following adjournment sine die (with no appointed day for resumption).

## **HB 2002 (In House Committee)**

Relating to public safety; declaring an emergency; providing for criminal sentence reduction that requires approval by a two-thirds majority.

Converts mandatory minimum sentences for specified felonies other than murder to presumptive sentences. Reduces presumptive sentences for certain crimes. Authorizes court to impose greater or lesser sentence according to sentencing guidelines of Oregon Criminal Justice Commission. Authorizes person receiving presumptive sentence to be eligible for certain programs and sentence reductions. Appropriates moneys from General Fund to Oregon Department of Administrative Services for distribution to Northwest Health Foundation for deposit into Reimagine Safety Fund. Prohibits arrest without warrant for misdemeanor other than person Class A misdemeanor unless offense committed in presence of law enforcement officer. Requires law enforcement officers to issue citation in lieu of arrest for specified crimes. Prohibits traffic stop based solely on specified traffic violations. Prohibits parole and probation officers from carrying firearm while performing official duties in certain locations. Requires certain continuing education for parole and probation officers. Expands earned reduction in term of probation or post-prison supervision. Modifies general conditions of probation and post-prison supervision. Prohibits revocation of probation or post-prison supervision unless person willfully absconds or is convicted of new felony or person Class A misdemeanor. Prohibits supervision fees. Modifies Justice Reinvestment Program grant distribution. Directs Oregon Criminal Justice Commission to collect certain data on imposition of supervision conditions, persons on supervision and expenditures of Justice Reinvestment Program funds and biennially report on data to Legislative Assembly. Declares emergency, effective on passage.

**SJR 10 (In Senate Committee)**

Proposing amendment to Oregon Constitution relating to slavery and involuntary servitude.

Proposes amendment to Oregon Constitution to prohibit slavery and involuntary servitude in all circumstances. Refers proposed amendment to people for their approval or rejection at next regular general election. "...the purpose of this proposed constitutional amendment is not to withdraw legitimate opportunities to work from individuals who have been convicted of a crime, but instead to merely prohibit compulsory labor from such individuals..."

**SB 207 (In Senate Committee)**

Relating to the Corrections Ombudsman.

Appropriates moneys from General Fund to Office of Governor for purpose of funding office of Corrections Ombudsman.

(An Ombuds should have the ability to enter and inspect prisons without notice, conduct confidential interviews with incarcerated people and prison staff, recommend improvements and monitor their implementations, access data and records, and help resolve complaints from family and prisoners, and even correctional officers who are concerned about AIC welfare.)

**SB 836 (In Senate Committee)**

Relating to the administration of alternative incarceration programs; declaring an emergency.

Directs Department of Corrections to consider all other alternatives before suspending, terminating or taking other specified action concerning alternative incarceration program. Requires department to provide report to Legislative Assembly committees related to judiciary within 14 days of suspending or terminating program or taking other action. Requires department to communicate with adults in custody participating in alternative incarceration program concerning changes to and decisions concerning program and effect on release dates. Requires that alternative incarceration programs be trauma-informed, gender-responsive and available at all department facilities. Declares emergency, effective on passage.

**SB 422 (In Senate Committee)**

Relating to fees arising out of juvenile delinquency matters.

Eliminates fees and court costs associated with juvenile delinquency matters. Provides for appointment of court-appointed counsel at state expense in all juvenile delinquency matters. Removes parental support obligation for youths, youth offenders or young persons in state custody.

**SB 83 (In House Committee)**

Relating to youth diversion.

Modifies provisions of law relating to youth diversion plan (to divert youth offenders from commitment to the youth correction facilities to alternative community services). Directs Oregon Youth Authority to collaborate with county juvenile departments regarding youth diversion.

**SB 133 (In Senate Committee)**

Relating to victims in juvenile cases.

Authorizes Oregon Youth Authority to disclose certain information to victim when youth authority seeks information from victim about potential impact of authorizing parole of youth offender.

**SB 215 (In Senate Committee)**

Relating to juveniles.

Authorizes district attorney to provide information regarding youth to victim of act alleged to have been committed by youth as district attorney determines necessary for victim to make decision regarding exercise of victim's rights. Modifies factors court shall consider when making decision regarding waiver of youth to adult court.

**SB 575 (Senate President's desk)**

Relating to juvenile records; prescribing an effective date.

Modifies procedure for expunction of certain juvenile records. Directs juvenile department to initiate statutory expunction process for juvenile records relating to contact that did not result in referral to juvenile court. Directs juvenile department to apply for expunction of juvenile records if juvenile had contact with juvenile department but was never found to be under jurisdiction of juvenile court. Changes punishment for releasing all or part of expunged record from misdemeanor to violation punishable by maximum of \$2,000 fine. Modifies process for access to counsel for persons seeking to file application for expunction of juvenile records. Directs Oregon Youth Authority, in collaboration with county juvenile departments and Judicial Department, to submit report and recommendations for legislation regarding juvenile expunction process to interim committees of Legislative Assembly relating to juveniles. Takes effect on 91st day following adjournment sine die.

**SB 708 (In Senate Committee)**

Relating to juvenile corrections.

Prohibits placement of youths in private youth correction facilities. Directs Oregon Youth Authority to collaborate with county juvenile departments regarding youth diversion.

**SB 817 (In Senate Committee)**

Relating to monetary obligations arising out of juvenile delinquency matters; prescribing an effective date.

Eliminates fees, court costs and fines associated with juvenile delinquency matters. Provides for appointment of court-appointed counsel at state expense in all juvenile delinquency matters. Removes parental support obligation for youths, youth offenders or young persons in state custody. Applies retroactively, rendering as satisfied judgments with outstanding balances and waiving accrued interest, fees and collection expenses on those balances. Takes effect on 91st day following adjournment sine die.

**HB 2366 (In House Committee)**

Relating to voting by adults in custody; prescribing an effective date

Allows persons convicted of felony to register to vote, update voter registration and vote in elections while incarcerated. Specifies that person's residence is where person resided prior to incarceration. Takes effect on 91st day following adjournment sine die.

**SB 571 (In Senate Committee)**

Relating to voting by adults in custody.

Allows persons convicted of felony to register to vote, update voter registration and vote in elections while incarcerated. Specifies that person's residence is where person resided prior to incarceration

**SB 397 (In Senate Committee)**

Relating to expungement.

Modifies procedure for filing motion to set aside conviction, arrest, citation or charge. Eliminates fees, fingerprinting and background check. Reduces waiting period for filing motion if person was revoked from probation, is seeking to set aside Class B felony or was convicted of other offense. Provides that court shall grant motion to set aside arrest, citation or charge, or motion to set aside conviction if no objection received. Modifies standard for granting motion over objection.

**SB 620 (Speaker's Desk, awaiting referral)**

Relating to supervision fees.

Provides that monthly supervision fee for person under supervision of community corrections program is not automatically required, but may be required by program.

**SB 835 (In Senate Committee)**

Relating to early medical release from prison: declaring an emergency; providing for criminal sentence reduction that requires approval by a two-thirds majority.

Modifies procedures for early medical release of adult in custody from prison. Directs Department of Corrections to inform adults in custody concerning release process and develop application form. Establishes Medical Release Advisory Committee within State Board of Parole and Post-Prison Supervision. Specifies qualifications of members of committee. Requires board to follow release recommendation of committee unless adult in custody poses specific danger to another person or public that outweighs compassionate reasons for release. Provides that staff attorney of committee may petition court for resentencing in order to effectuate early medical release. Directs Department of Corrections to annually report data concerning medical release to committees of Legislative Assembly related to judiciary. Declares emergency, effective on passage.

**SB 192 (In Senate Committee)**

Relating to crime; prescribing an effective date.

Directs Oregon Criminal Justice Commission to study recidivism rates of persons granted short-term transitional leave and to provide results of study to interim committees of Legislative Assembly no later than December 31, 2021.

**SB 47 (In Senate Committee)**

Modifies remedial action procedures when county participating in Justice Reinvestment Program does not reduce utilization of imprisonment in Department of Corrections facilities.

The commission shall award grants to counties that establish a process to assess offenders and provide a continuum of community-based sanctions, services and programs that are designed to reduce recidivism and decrease the county's utilization of imprisonment.

**SB 819 (In Senate Committee)**

Relating to petitions for conviction reconsideration.

Establishes procedure by which district attorney and incarcerated person may jointly petition sentencing court for reconsideration of conviction and sentence. Authorizes court to, upon granting petition, resentence person on original conviction, vacate previous judgment of conviction, accept plea to new offense and impose sentence on new offense. Directs district attorney to notify victim or survivor of victim of reconsideration hearing and process.

**SB 494 (In SEenate Committee)**

Relating to the revocation of release.

Requires that person notifying court of violation of release condition, or otherwise requesting issue of warrant for violation of release condition, notify released person's attorney concerning notification or request.

**SB 681 (In Senate Committee)**

Relating to setting aside convictions.

Establishes procedure for person with qualifying conviction for possession of controlled substance to file motion requesting court order setting aside conviction. Provides that fee, set of fingerprints and background check are not required for motion. Specifies grounds for objection to order and burden of proof.

*((2)(a) The person may not file a motion under this section until at least one year after any sentence ordered by the court for the qualifying conviction has been completed.*

*(6) The clerk of the court shall forward a certified copy of the order to such agencies as directed by the court. A certified copy must be sent to the Department of Corrections when the person has been in the custody of the Department of Corrections. Upon entry of the order, the conviction, arrest, citation, charge or other proceeding shall be deemed not to have occurred, and the person may answer accordingly any questions relating to its occurrence.)*

**SB 651 (House Desk, awaiting first reading)**

Relating to probation conditions.

Provides that probationer or probationer's attorney may file objection to proposed modification to special conditions of probation.

**HB 2036 (In House Committee)**

Relating to supervision by the State Board of Parole and Post-Prison Supervision.

Authorizes State Board of Parole and Post-Prison Supervision to discharge person from parole or post-prison supervision prior to end of supervision term for specified medical reason if compatible with best interests of person and community. Requires board to make reasonable effort to notify victim prior to final decision concerning discharge.

**SB 499 (In Senate Committee)**

Relating to claims for wrongful conviction.

Creates civil claim for wrongful conviction.

**SB 603 (In Senate Committee)**

Relating to wrongful convictions; prescribing an effective date.

Directs Oregon Criminal Justice Commission to study establishment of Innocence Commission and system to compensate wrongfully convicted persons, and to provide results of study to interim committees of Legislative Assembly no later than December 31, 2021.

**SB 720 (In Senate Committee)**

Relating to the Family Preservation Project; declaring an emergency.

Directs Oregon Criminal Justice Commission to establish, in collaboration with Department of Corrections, Family Preservation Project pilot program at Coffee Creek Correctional Facility. Provides that program shall be administered by YWCA of Greater Portland. Specifies goals of program and services that may be provided. Requires commission to perform analysis of program and report results of analysis to Legislative Assembly beginning September 15, 2024, and every two years thereafter. Appropriates moneys to Oregon Criminal Justice Commission for distribution to YWCA of Greater Portland for purposes of program. Sunsets program on January 1, 2029

**SB 189 (In Senate Committee)**

Relating to trial visits for committed persons.

Requires outpatient care as condition for trial visit of person committed to custody of Oregon Health Authority as person with mental illness. Specifies minimum conditions for trial visit.

**SB 579 (In Senate Committee)**

Relating to guardianship services for defendants who are unable to aid and assist; prescribing an effective date.

Directs Oregon Public Guardian and Conservator to develop and administer a community restoration program for providing guardianship services to defendants who are unable to aid and assist in their defense and who will be released into community.

**SB 204 (In Senate Committee)**

Relating to criminal justice agencies.

Adds citizen review bodies designated by law enforcement agencies to definition of "criminal justice agency." Allows citizen review bodies to access Law Enforcement Data System.

**SB 638 (In Senate Committee)**

Relating to assaults committed against corrections officers.

Establishes mandatory minimum sentence of 48 months' imprisonment for assault committed by correctional facility inmate against corrections officer.

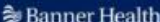







## YOU CAN MAKE A DIFFERENCE

**Please contact your legislators about issues that are important to you.**

Find your legislators at [www.oregonlegislature.gov/FindYourLegislator/](http://www.oregonlegislature.gov/FindYourLegislator/)

Contact your legislative representative and make your concerns known to them today!

It is hard to know what is myth and what is fact due to all of the politicizing of this disease. Here are some points to consider in deciding if vaccination is the solution. It should not be a political decision it should be a health decision.

COVID-19 Vaccines		
DEBUNKING THE MYTHS		
VACCINE MYTH		VACCINE FACT
 It was rushed and isn't safe		Researchers took no safety shortcuts. Large studies show the vaccine is safe.
 It changes your DNA		It's impossible for the vaccine to change your DNA
 It can give you COVID-19		The vaccine doesn't contain a live virus strain
 It contains egg protein		It doesn't have egg proteins and can be given to people with egg allergies
 It causes severe side effects		For most, the vaccine causes mild side effects that resolve in a few days
 It makes women infertile		There is no evidence that the vaccine causes infertility
		SOURCE: Sanford Health

**HAVE YOU HAD YOUR COVID-19 VACCINATION YET?**

# A PROCLAMATION LETTER FROM PRESIDENT JOESEPH R. BIDEN JR.

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## A Proclamation on Second Chance Month, 2021

MARCH 31, 2021 • PRESIDENTIAL ACTIONS

America's criminal justice system must offer meaningful opportunities for redemption and rehabilitation. After incarcerated individuals serve their time, they should have the opportunity to fully reintegrate into society. It benefits not just those individuals but all of society, and it is the best strategy to reduce recidivism. During Second Chance Month, we lift up all those who, having made mistakes, are committed to rejoining society and making meaningful contributions.

My Administration is committed to a holistic approach to building safe and healthy communities. This includes preventing crime and providing opportunities for all Americans. It also requires rethinking the existing criminal justice system — whom we send to prison and for how long; how people are treated while incarcerated; how prepared they are to reenter society once they have served their time; and the racial inequities that lead to the disproportionate number of incarcerated Black and Brown people.

We must commit to second chances from the earliest stages of our criminal justice system. Supporting second chances means, for example, diverting individuals who have used illegal drugs to drug court programs and treatment instead of prison. It requires eliminating exceedingly long sentences and mandatory minimums that keep people incarcerated longer than they should be. It means providing quality job training and educational opportunities during incarceration to prepare individuals for the 21st century economy. And it means reinvesting the savings from reduced incarceration into reentry programs and social services that prevent recidivism and leave us all better off.

More than 600,000 individuals return to their communities from State and Federal prisons every year. Transitioning back into society can be overwhelming for those who are formerly incarcerated as well as their families and communities. Too many individuals face unfair legal and practical barriers to reentry. The reentry process is complicated in the best of times, and is even more so with the additional difficulties presented by the COVID-19 pandemic.

We must remove these barriers. Every person leaving incarceration should have housing, the opportunity at a decent job, and health care. A person's conviction history should not unfairly exclude them from employment, occupational licenses, access to credit, public benefits, or the right to vote. Certain criminal records should be expunged and sealed so people can overcome their past. By focusing on prevention, reentry, and social support, rather than incarceration, we can ensure that America is a land of second chances and opportunity for all people.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2021 as Second Chance Month. I call upon all government officials, educators, volunteers, and all the people of the United States to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand twenty-one, and of the Independence of the United States of America the two hundred and forty-fifth.

JOSEPH R. BIDEN JR.

**Due to COVID-19, meetings may be cancelled. Please call before attending.**

## **RELEASE ORIENTATIONS**

Release Orientations are co-facilitated by Community Corrections and Oregon CURE. Find out how you can help your recently or soon to be released loved one successfully re-enter our communities. Before attending, please phone one of the county coordinators department listed below to confirm the date, time and location.

### **Washington County Dates**

Contact: Marcus Ford (503) 846-3494

### **Multnomah County Dates**

Contact: (503) 988-3081 press "0" for TSU

### **Marion County Dates**

Contact: Kayla Thompson  
(503) 540-8017 (call to confirm)

## **INTAKE ORIENTATIONS**

Intake Orientations are co-facilitated by Oregon Department of Corrections and Oregon CURE. Find out about Oregon's prison system, the intake process, phones, mail, and visiting requirements. You will receive a packet of informational brochures. There will be opportunities to ask questions and learn how you can get through your loved one's incarceration.

### **Portland Metro Dates**

Location: Varies, please call Oregon CURE to confirm:  
(503) 977-9979 or email [oregoncure@gmail.com](mailto:oregoncure@gmail.com)

### **Salem Dates**

First Christian Church in Salem  
6:60-8:30 PM on 3<sup>rd</sup> Thursdays Quarterly  
Call (503) 378-0050 (call to confirm)

## **Support Groups**

Oregon CURE support groups are intended for adult family members and friends only. Some topics of discussion may not be suitable for small children or pre-teens. Attend a support group and network with family members who have "been there".

### **Portland East Side Support Group**

3<sup>rd</sup> Wednesdays: 6:30-7:30pm  
Please email Ray Fox for details at  
[RayAllenFox@gmail.com](mailto:RayAllenFox@gmail.com)

### **Eugene Support Groups**

1<sup>st</sup> Thursdays and 3<sup>rd</sup> Tuesdays: 7:00-9:00pm  
Please call to confirm location.  
(541)344-7612 Dave (541)342-6817 (Don)

### **Beaverton Support Group**

1<sup>st</sup> Wednesdays: 7:00-8:30pm  
Please call to confirm the location.  
(503)977-9979  
or email [oregoncure@gmail.com](mailto:oregoncure@gmail.com)

### **Salem Support Group**

1<sup>st</sup> Saturdays: 9:30-11:30am  
The Keizer Senior Center  
930 Plymouth Drive NE  
Keizer, OR 97303  
(503)409-3329 (Wayne)

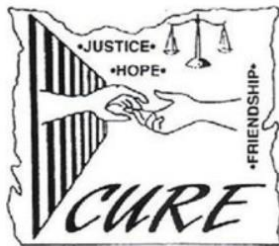
Oregon CURE  
7805 SW 40<sup>th</sup> Ave.  
PO Box 80193  
Portland, OR 97280

## ATTENTION:

*Your address label now has  
printed below your name,  
your renewal-date.*

*This will be your last  
newsletter if your renewal  
date has passed.*

**Renew today to  
Remain informed!**



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The opinion and statements contained in this newsletter are those of the authors and do not necessarily reflect the views of Oregon CURE.

Contributions of articles, letters to the editor, notices, etc. are welcome, but may be edited or rejected for space.

Articles may be copied in their entirety with credit to the author or to the publication.

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Your membership renewal date is on the address label of this newsletter. If your renewal date is expired, we ask that you please renew today to continue to receive this newsletter and to continue to support our organization.

**You can also make a donation for someone you know to become a member.**

**Your support is important to our mission and your donation is tax deductible.**

Send your membership tax-deductible donation to: Oregon CURE, PO Box 80193, Portland, OR 97280

Please fill out the member donation form below to receive our newsletter.

Adult in custody subscription donation: \$3 Individual Non-Incarcerated subscription donation: \$15

**All Tax-Deductible Donations are greatly appreciated and can be made in any amount.**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Email: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

(Optional):

Name of incarcerated loved one/ SID & facility: \_\_\_\_\_

Visit our website at: [www.oregoncure.org](http://www.oregoncure.org)