

## **Testimony in Support of HB 3078**

**Submitted to the House Committee on Judiciary  
By Shannon Wight, Deputy Director, Partnership for Safety and Justice  
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Chair Barker, members of the committee:

Along with co-sponsors, Rep Sanchez, Rep Piluso, and Rep. Lininger, Partnership for Safety Justice (PSJ) proposed this legislation to address the dramatically increasing women's prison population and the spectre of spending millions to open a new women's prison.

PSJ is a nonprofit organization that advances solutions to crime that ensure justice, equity, accountability, and healing. We do this by advocating for proven strategies that achieve safe and strong communities, prevent crime, and provide opportunities for both victims and people who commit crimes to rebuild their lives.

Coffee Creek, Oregon's only prison for women, remains at capacity at about 1280 women, putting Oregon on the brink of opening a second prison for women and forcing us to spending \$17.5 million of our state's scarce resources to do so. Especially when we know that 70% of those women are there for drug and property crimes driven by addiction, we bring this legislation to safely and responsibly drive down our prison population: which is why you have before you the Safety and Savings Act (HB 3078.)

The bill is undoubtedly not in its final form, and we will continue to negotiate with the district attorneys, law enforcement, community corrections and other stakeholders to reach what we hope will be agreed upon improvements. Partnership for Safety and Justice recently participated in a workgroup convened by Speaker Kotek to discuss many of the issues addressed with the Safety and Savings Act. We are awaiting a summary of those discussions from the co-facilitators of that workgroup, both former chairs of this committee: Lane Shetterly and Greg McPherson.

There are two driving values that guide our proposal that I want to mention before outlining each of the policies in this omnibus bill.

Similar to the Justice Reinvestment Act passed in 2013, the Safety and Savings Act in front of you today is rooted in the belief that what matters most is not whether someone does 19 months vs 24 in prison or on probation; but that we ensure that we are doing our best to put that person's life back on track so they don't commit future crimes. That is the first value.

The second value is about reinvestment: If we chose to divert someone from prison or send them to prison for a shorter sentence, we must use at least some of those avoided prison costs and reinvest them to the counties to provide the supervision and treatment services need to address the root causes of crime. This is essential if our goals are to reduce crime, build safe communities and create successful and thriving individuals.

The Safety and Savings Act is divided into five sections (the first three are needed reform

and the second two are about reinvestment priorities):

- I. **Realign drug and property crime sentences to reflect best practices when it comes to addiction-drive crime:** Oregon has laws on the books that essentially create mandatory sentences for a range of drug and property crimes that we know are driven by addiction. As currently proposed in the Safety Savings Act, these law would be rolled back. Based on the conversation in the workgroup led by McPherson and Shetterly; we are open to amending this bill to more narrowly tailor those reforms and look to Marion County's for guidance based on their successful program that is already diverting many people for addiction-driven drug and property offenses.
- II. **Update the family sentencing alternative program:** As you heard testimony about last week, the Family Sentencing Alternative passed in 2015 and needs to be amended to reflect lessons learned from it first year of implementation to allow pregnant women to be eligible; to remove barriers to the program created by prior criminal histories often related to domestic violence; and create a downward departure so the program actually diverts parents who would otherwise be going to prison into intensive supervision and treatment services.
- III. **Expand short-term transition leave:** Short-term transition leave is an existing policy that has shown to be effective, saves money and reduces recidivism by providing a period of intensive supervision for people coming out of prison. We support building on this success by expanding short term transition leave to at least 120 days and longer if counties have the resources to support that transition.
- IV. **Justice Reinvestment:** We are deeply committed to Justice Reinvestment and want to see it continue fully funded or expanded if possible. Passed in 2013, justice reinvestment is rightfully credited with saving the state approximately \$200 million dollars by incentivizing counties to use innovation to safely divert people from prison and into intensive supervision and more effective treatment services.
- V. **Oregon Domestic and Sexual Violence Services Fund:** This fund, known as ODSVS is the only general fund resource to domestic and sexual violence victims. It's been a long time priority of Partnership for Safety and Justice and yet it is still woefully underfunded, leaving victims without life savings services. As part of the Safety and Savings Act we want to see ODSVS it and Justice Reinvestment and Justice Reinvestment receive additional funding.

HB 3078 addresses the root causes of addiction-driven drug and property crime and our ballooning women's prison population. The fact is that the War on Drugs has failed, especially women and communities of color. And when other states, like Texas, were reforming sentencing laws to address the increasing costs of the prison system on taxpayers, Oregon passed a law in 2008 to increase sentences for addiction-driven drug and property crimes. We need to stop heading down this misguided path and head in the direction we know works.

While the Safety and Saving Act provides proven and effective reforms, we know that it will need more work to bring more stakeholders on board and ensure successful implementation. For that reason, we ask for your support for the Safety and Savings Act (HB 3078) to continue this critical conversation and ensure we avoid spending more taxpayers dollars on prisons instead of the local accountability measures and treatment we know works..