



Legislative Testimony

Oregon Criminal Defense Lawyers Association

June 19, 2017

The Honorable Jackie Winters, Co-Chair
The Honorable Duane Stark, Co-Chair
Members of the Joint Committee on Ways & Means Subcommittee on Public Safety

RE: HB 3078—Testimony in Support

Dear Co-Chair Winters, Co-Chair Stark, and Members of the Committee:

The Oregon Criminal Defense Lawyers Association is an association of attorneys who represent juveniles and adults in delinquency, dependency, criminal prosecutions, appeals, civil commitment and post-conviction relief proceedings throughout the state of Oregon. Thank you for the opportunity to submit the following comments in support of HB 3078.

OCDLA strongly supports the passage of HB 3078 as it is an incredibly thoughtful and well-vetted¹ criminal justice reform bill that is sorely needed in Oregon. As you know, the number of women imprisoned in the Oregon Department of Corrections has nearly tripled over the past 20 years even though women are not committing more frequent or serious crimes. Seventy percent of women's convictions in Oregon in 2015 were for low level, addiction-driven drug and property crimes. In this financial climate, opening a new women's prison will have a devastating impact on our communities, and it is avoidable by taking proactive steps that both hold people accountable and seek to treat the root causes of addiction-driven crimes.

OCDLA's members see firsthand how incarceration and a lack of community resources impact clients and their families. HB 3078 will positively impact the prison population, of women especially, by expanding the eligibility in the Family Sentencing Alternative Program, increasing short-term transitional leave to 120 days, reducing the presumptive prison sentences on Theft I and ID Theft from 18 months to 13 months prison, creating a statewide 416 Program, and investing in local treatment, rehabilitation, and victims' services in our communities.

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¹ HB 3078 was amended to adopt the Public Safety Work Group recommendations. The Public Safety Work Group was facilitated by former Judiciary Chairs, Lane Shetterly and Greg Macpherson, and included the District Attorneys, law enforcement and public safety stakeholders. In their report, Shetterly and Macpherson acknowledged that the recommendations were not consensus but were targeted, effective ways to contain prison costs and create safer communities. HB 3078A is endorsed by a broad coalition including AOI/OBA, the Oregon Business Council, SEIU, Community Corrections, Ecumenical Ministries of Oregon, the Archdiocese of Portland, OCCV, The Alliance of Children's Programs, Stand for Children, OPERA, Oregon Criminal Defense Lawyers Association, Oregon Council on Civil Rights, the Oregon Advocacy Commissions, Oregon Coalition Against Domestic and Sexual Violence, and the League of Women Voters.

Notably, Oregonians believe rehabilitation and treatment are more important than longer prison sentences. Additionally, according to the CJC, defendants who earn short-term transitional leave and participate in well-funded supervision are less likely to commit new crimes.

By reducing prison sentences for low-level, addiction-driven crimes and offering intensive supervision and services, Oregon communities will be safer, opening a new women's prison and the costs associated with it can be avoided, and defendants will be better served, less likely to recidivate, and more productive. These are outcomes that we need.

We strongly urge your "aye" vote.

For questions or comments contact Mary A. Sell, OSB # 111401
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