

Testimony in Support of HB 3078A
Submitted to the Public Safety Subcommittee of Ways and Means
By Shannon Wight, Deputy Director, Partnership for Safety and Justice
June 19, 2017

Chair Winters, co-chair Stark, members of the committee:

Partnership for Safety Justice (PSJ) along with Chief Sponsors Piluso and Sanchez, 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. Today we are here in support of HB 3078A, The Safety and Savings Act.

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.

We are testifying today in support of HB 3078A which contain the recommendations of a cost containment workgroup led by former House Judiciary chairs Lane Shetterly and Greg MacPherson. While we are supportive of these thoughtful recommendations, we also believe that our original bill was carefully constructed to be consistent with what we know works best for public safety.

PSJ still believes that a deeper reform package to include all Measure 57 crimes is warranted and could be supported by all stakeholders because much of this work is already being done and led by law enforcement because it's a more effective policy to address addiction-driven crime.

However, we understand that compromise is always a part of passing legislation so are offering our strong support for HB 3078A and thanks to workgroup chairs Lane Shetterly and Greg MacPherson for helping to chart a viable path for this bill.

I want to make a few key points about the bill and address some of what you may have heard from opponents of the bill.

First, this bill is about accountability, treatment, safety and savings. It is modeled after the Justice Reinvestment Act (HB 3194, 2013) that has created a sea change in how Oregon approaches its public safety policy by averting prison costs and reinvesting locally so counties

can choose to invest in ways that meet their local needs.

- The bill reduces but does not eliminate prison sentences for the two biggest drivers of the female prison population – First Degree Theft and Identify Theft. These crimes still carry a presumptive sentence over one year and felony convictions. Reducing the amount of time a person serves for a crime is a cautious approach to relieving pressure on our prison system.
- HB 3078A creates greater eligibility for the Family Sentencing Alternative program to keep families strong while ensuring accountability and treatment services.
- HB 3078A has provisions to divert people from prison modeled after a program in Marion county known as the Senate Bill 416 program run by the local district attorney and sheriff.
- HB 3078A allocates funds to further shore up the Justice Reinvestment work being done in every county and to the Oregon Domestic and Sexual Violence Services Fund.

HB 3078A creates modest but impactful reforms that can help Oregon avert spending nearly \$20 million per biennium to run a second prison for women, 70% of whom are there for drug and property crimes and most of whom struggle with addiction.

Second, I want to address a few of the arguments that we've heard against this bill:

- **Oregon is safe because of Incarceration:** Oregon rates about middle of the pack when it comes to our incarceration rate, we rank 23rd. Twenty-three states have reduced their prison population over the last few years and Oregon is not one of them. Washington, California and New Mexico all have lower incarceration rates than Oregon. Thirty-one states have cut their prison rates and crime rates at the same time. Oregon ranks 8th in the country for our disproportionate incarceration of African Americans.
- **No one is talking about victims:**
 - I. Victims have many voices – there is not just one voice with one united perspective on justice. In materials submitted on this bill, you will see a survey of crime victim perspectives on their justice priorities and you will see that that diversity of voices. Some findings ring out: most victims don't get the help they need after a crime; most prefer that our system focus more on rehabilitation than punishment and by a 3 to 1 margin victims prefer accountability to happen through options other than prison.
 - II. Most the women in prison have histories of victimization for physical or sexual abuse. You might hear that these are “not real victims” to some, but to us and many who serve survivors, these women deserve our services to help them heal, be the best people and mothers they can be and productive members of our community.

- III. With PSJ's leadership and the collaboration of our victim services allies across the state, we ensured that 10% of Justice Reinvestment funding is allocated to community-based victims services. That fund would receive additional resources with this bill.
 - IV. HB 3078 allocates funds for victim services because of our long standing commitment to and advocacy for generating more resources for victims of crime.
 - V. Victim service providers support this bill including the Oregon Coalition Against Domestic and Sexual Violence and the Center for Hope and Safety here in Salem, amongst others.
- **Some of the women in Oregon's prison have lots of convictions.** This is true and is the result of these crimes being driven largely by addiction. The fact that they have so many convictions under our current system should make us want to invest in promising new approaches. Ask any law enforcement officer how many people struggling with addiction they have cycled in and out of the ineffective systems of incarceration for decades and you'll know why counties in Oregon and states across the country are looking for more effective approaches to addiction-driven crime.
 - **The women's prison population isn't a problem:** Over the summer, the Department of Corrections received funds from the emergency board because their population was nearing or sometimes just over 1280, the maximum capacity for Coffee Creek Correctional Facility for Women. Today, the prison is at 1286, which includes 120 temporary and emergency beds.

This bill is before you because of the rising women's prison population and the real possibility of having to spend nearly \$20 million in the next biennium.

HB 3078 represent a compromise but still an important step in the right direction to addressing addiction-driven crime in ways that are most effective and efficient. The bill is rooted in values of accountability, safety, savings and treatment services. We believe that is the right path for Oregon and urge your aye vote.

Thank you for your time.