



CIRCUIT COURT OF THE STATE OF OREGON
FOURTH JUDICIAL DISTRICT
MULTNOMAH COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OR 97204-1123

February 12, 2013

Senator Floyd Prozanski
Chairman
Senate Committee on Judiciary
900 Court St. NE, S-415
Salem, OR 97301

RE: SB 69 – Amending ORS 813.011 – Treatment Court exception.

Dear Chairman Prozanski:

The undersigned judges of the Multnomah County Circuit Court support Senate Bill 69, which allows discretion to treatment court judges to sentence DUII felony offenders to electronic alcohol monitoring for part of the mandatory minimum 90 days of incarceration required by ORS 813.011 *if* the offender is participating in a Treatment Court as defined by ORS 3.450.

Multnomah County has a long history of pioneering treatment courts as a means to increase community safety at less cost to the State of Oregon. Treatment Courts require *greater accountability* of offenders by imposing intensive supervision and responding to violations of probation conditions with swift and certain sanctions, as compared to like offenders not participating in treatment courts. Participants pay their own way; they pay for treatment, urinalysis, and alcohol electronic monitoring. If DUII felony offenders are incarcerated for 90 days, most will leave custody having lost their job, making it nearly impossible to participate in a treatment program that will help them change their behavior and keep the community safer for longer than 90 days. If probationers are not successful in a Treatment Court and their probations are revoked, in most cases, they will serve more time in custody than what they would have served if they did not participate in the Treatment Court.

Recidivism data for our Driving under the influence Intensive Supervision Program (DISP) demonstrates the effectiveness of this Treatment Court. Since 1998, 87% of DISP graduates have had no further DUII involvement with the criminal justice system. DISP Felony level offenders reoffend at a 10% rate compared to an 18% rate for non DISP offenders. This comports with similar national studies.

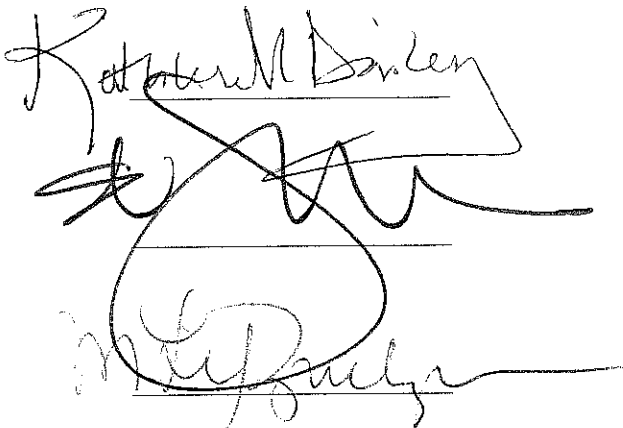
Senator Floyd Polanski
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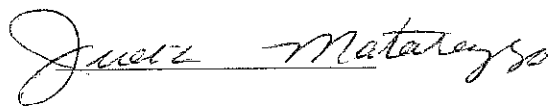
We recognize that the legislature is faced with many difficult decisions. There are too many requests on Oregon's shrinking budget. The mounting fiscal crisis has affected everyone in our state, including the courts. We have endured budget cuts that have impacted our ability to serve the citizens of Multnomah County. This bill would save the state \$800,000, upwards of \$200,000 per year as to Multnomah County alone.

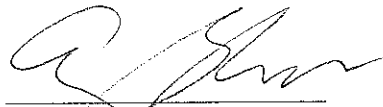
SB 69 is a much needed exception to the mandatory minimum jail sentence required by ORS 813.011 so that the incentive to participate in the more arduous requirements of Treatment Courts is not lost. Jail is entirely appropriate for offenders who don't comply with the rigorous standards of a Treatment Court or refuse to submit themselves to the scrutiny. We routinely incarcerate offenders who do not comply. We simply request the discretion to do what works in order to keep the community safe. Treatment Courts work!

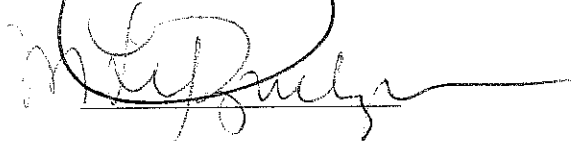
SB 69 will lessen the burden on state resources, provide an incentive to offenders to participate in treatment courts, and increase community safety.

Respectfully submitted,

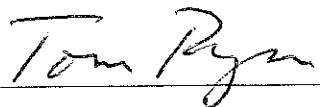

Robert Dinkley

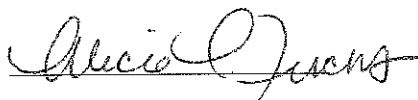

Juan Matarazzo

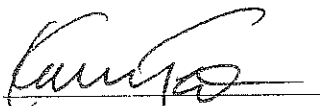


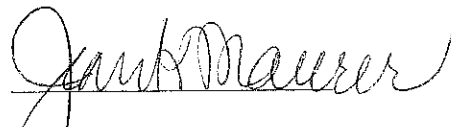



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