



**To:** Members of the House Judiciary Committee

**From:** Kevin Campbell, Executive Director  
Oregon Association Chiefs of Police

**Date:** April 8<sup>th</sup>, 2013

**Re:** **Support for HB 2384**  
Forfeiture for third time Driving While Suspended Offense

**Chair Barker and Members of the Committee,**

On behalf of the over 300 members of the Oregon Association Chiefs of Police, please accept this letter of support for HB 2384 with the dash 2 amendments. This measure allows officers the option of seeking forfeiture of a motor vehicle when a person is stopped for a third Driving While Suspended offense within a three year period. HB 2384 seeks to address the repeat DWS offender for which additional fines and extended suspensions are not an adequate deterrent.

The measure accomplishes this objective by:

- Increasing the penalty for driving while suspended or revoked under ORS 811.175 from a Class A traffic violation to a Class C misdemeanor for second and subsequent offenses.
- Authorizing the use of civil and criminal forfeiture for a person who is convicted of a class C misdemeanor for DWS and is arrested again for DWS within a three year period.

Currently and in most cases, officers who stop a chronic DWS offender have few options but to cite the person with the knowledge that they will likely continue to operate their motor vehicle. Current case law allows towing and impounding of a motor vehicle for DWS only if the vehicle poses a hazard. HB 2384 makes it clear moving forward that officers have discretion to initiate a forfeiture of a vehicle for the repeat DWS offender.

We believe that the addition of forfeiture as a tool and an option for officers who stop chronic DWS offenders will result in fewer repeat offenders and increased safety for our motoring public.

We encourage your support for HB 2384