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MEASURE: SB 124
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February 7, 2013

Oregon State Senate
Committee on Veterans and Emergency Preparedness
State Capitol
900 Court St. NE
Salem, OR 97301

Dear Chair Boquist, Vice-Chair Monnes-Anderson, and President Courtney:

My name is Mark Holady. I live in Clackamas County and practice law in Oregon and Washington. I serve in the Army Reserve Judge Advocate General Corps. Since September, I have been stationed at Camp Withycombe in Clackamas. I am here today to testify in favor of SB 124 and SB 125.

I recently spoke with someone in the Clackamas County Community Corrections office. At the new year, the probation office began using a new intake form asking whether the convict on probation was a veteran. Since the new year, roughly 10 percent of all persons reporting for probation are in fact veterans. These veterans range from an older Vietnam War veteran to a woman in her late thirties to a fellow who completed two tours in Iraq. Ten percent of all offenders are veterans while the ratio of military service-members in the general population is less than one in one-hundred. Many of these veterans are suffering from post-traumatic stress syndrome symptoms.

Besides the 10X multiplier, there are two other points to note. First, these people are convicted before anyone asks whether they are veterans. The system is reactive, not proactive. Second, the people on probation are discharged service-members. Active duty soldiers and sailors do not receive probation services at Clackamas County. The sheriff's office defers to the service-member's military commander. So active duty military members never see a form alerting them to possible rights they have because of their military status.

The Sheriff's office does have a policy of asking drivers whether they are veterans. Yet that is more of a safety measure for the deputies on the scene. No one wants a post-traumatic stress syndrome trigger to escalate a routine traffic stop into a tragedy.

Incidentally, my contact at the probation office used to work in the county's mental health

office. She told me that she saw increasing numbers of people seeking treatment for PTSD over the last 10 years, even one fellow who was suicidal and called the crisis line six years ago. He was a reserve service-member who had full coverage health insurance. Full-coverage, that is, except for mental health issues. The citizens of Clackamas County paid for some treatment and counseling, and the service-member is alive today.

I realize that there is a cost to reprinting forms to carry the advisory language. I acknowledge that unfunded federal mandates drain the state's coffers. I have three responses: First, we need to make the service-members aware of their rights. Service, whether in a military uniform or on the floors of the capitol, involves sacrifice. Society owes a debt in return. Second, the cost to modify existing supplies will be small. Stationery can be modified using a stamp or a label. New stationery can incorporate the language and the forms printed without a discernible increased expense. Third, what is the cost of printing compared with the cost of rehearing a case once an active duty service-member returns and obtains his guaranteed hearing? Mulligans may be free on the golf course, but they are not in the state court rooms. Judicial resources are already limited. Eighteen-hundred men and women from the 141st Brigade Combat Team are set to deploy in the summer of 2014. How many "do-over" trials do you want our judges to hear?

I urge you to strongly consider passing these bills.

Respectfully,

A handwritten signature in black ink that reads "Mark John Holady". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Mark John Holady