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# OREGON STATE SHERIFFS' ASSOCIATION SUPPORTS HOUSE BILL 3422

In writing for the Joint Ways and Means Committee / May 29, 2013

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Co-Chairs Devlin and Buckley and members of the committee:

The Oregon State Sheriffs' Association is comprised of Oregon's 36 elected county sheriffs. Sheriffs take seriously their charge to be "conservators of the peace." Their role in public safety is broad, including routine patrol, investigating crime, search and rescue, marine patrol, jails, community corrections, court security, civil services and the issuance of concealed handgun licenses.

Oregon Sheriffs strongly support House Bill 3422, an Oregon State version of the Federal "Len Bias" law. HB3422 creates two crimes and three mandatory minimum sentences for the people who provide illegal drugs to someone who is seriously physically injured or dies as a result of ingesting the drugs.

First, the bill creates the crime of "drug induced homicide" as a Class A felony while still appropriately distinguishing between a person who sells drugs to someone who dies from an overdose (240 months) and a person who provides drugs to someone who dies from an overdose (144 months). Both acts constitute a serious crime, but the law should distinguish between a drug pusher and an acquaintance who kills a friend by sharing illegal drugs.

Second, the bill also creates the crime of "drug induced assault" as a Class B felony. This charge will ensure that people are punished when the drugs they supply cause injury to the person who ingests them.

The Federal Len Bias law is rarely used. A state-based version of the law will permit county DAs to make smart prosecutorial decisions to better ensure the safety and welfare of all Oregonians.

Oregon Sheriffs strongly urge the Joint Ways & Means Committee to give House Bill 3422 a "do pass" recommendation to the Senate and House. Thank you.

*From the desk of Rep. Jim Weidner*

A handwritten signature in blue ink, appearing to read "Jim Weidner", is written below the text.

**Oregon State Sheriffs' Association**

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