



PETER COURTNEY
President of the Senate

Senate Judiciary Committee
Senator Floyd Prozanski, Chair
Senator Betsy Close, Vice-Chair
Senator Michael Dembrow
Senator Arnie Roblan
Senator Jeff Kruse

*TESTIMONY BY SENATOR PETER COURTNEY
SUPPORTING SB 1517
FEBRUARY 5, 2014*

Chair Floyd Prozanski, Vice-Chair Betsy Close, members of the Senate Judiciary Committee -- thank you for hearing my testimony today.

My name is Peter Courtney. I am a State Senator. I live in NE Salem.

I introduced this bill, SB 1517, because I am very concerned about predatory sex offenders. Now, I am told that that term is outdated, but I think you know the type of individual I mean when I use that term.

This type of criminal has haunted me for years – since I served on Governor Barbara Roberts’ task force regarding sex abuse crimes. Hearing about these heinous crimes – many committed against children – really messed me up.

I came back to this issue in August when I read in the Oregonian about a Washington County man (Charles “Doc” Hollywood) who is a repeat offender. In 1982, he was convicted of raping a 4 year old child. He was again convicted in 2009 of sexually abusing a 9 year old child. Later in 2009, a Supreme Court ruling reduced his second sentence from 25 years to 6 years + 3 months. He is expected to be released from prison this year. I find this totally unacceptable.

Although some psychologists believe some of these individuals can be rehabilitated, I want a guarantee that, once convicted, these predators will harm no one else. The only way I know to do that is to lock them up for life. So I introduced this bill. It’s my bill. No one asked me to do it. I have shown the bill to certain prosecutors in the state and the response was positive. One said he/she could think of a number of cases in which a law like this would’ve prevented victimizations.

This bill, SB 1517, targets the worst of the worst criminals: rapists and sodomizers. Once found guilty, if the jury also finds that these individuals present a high risk/danger to society, the court would assign a sentence of life without parole.

This determination will be based on 4 factors. The defendant must:

1. Have been 18 or older at the time of the crime;
2. Score “high risk” on the sex offender risk assessment;
3. Exhibit characteristics showing a tendency to injure others or to target victims under 12; AND
4. Present a serious danger to the public.

If the jury finds all 4 of these criteria are met, the defendant will receive a life sentence without parole.

I know this seems drastic. But I feel that crimes of this nature call for drastic measures. What happens to children in the hands of these predators is so unspeakable that it is “a fate worse than death.” (Gibbon, Edward. *The Decline and Fall of the Roman Empire*, 1781).

No other state has a “one strike” rule like this – Oregon would be the first. Other states assign a life sentence with three strikes, sometimes two. I am concerned that too many individuals will offend repeatedly if given the chance, and I’d like to work to protect the innocent.

I know that as a state, we are trying to reduce our prison population. However, reducing sentences for non-violent offenders is totally different than predatory criminals. In 2012 alone, the Oregon prison system took in 109 criminals for these exact 3 crimes: first degree rape, sodomy, and unlawful penetration. I am told that this policy will not impact prison beds for 20-25 years – as that is the average sentence for these criminals.

Thank you, Chair Prozanski and distinguished members of the committee, for hearing SB 1517.

I leave it to your individual and collective wisdom to decide how to proceed with this matter.

I will entertain any questions, comments, or criticisms.