

Chairman Barker and Members of the Committee:

I am here today in support of HB 4026.

My name is Sally Penna, I am a resident of Polk County. I have owned and operated a small business since 1981, working as an ADES (alcohol and drug evaluation and screening specialist) primarily for Polk County Circuit Court and Dallas, Monmouth and Independence Municipal Courts. I am certified by OHA.

The ADES position was created in 1981 to act primarily as a means of bridging a gap between the courts and treatment programs. When a defendant comes to court, rather than trying to ascertain to which treatment agency to send the client in the courtroom, the court sends the client to the ADES. Subsequently, the ADES then works collaboratively with the client to determine a treatment agency which best meets the client's individual needs. We obtain signed releases to communicate with that agency on the defendant's status, and monitor the client for the Court. We advise the Court of the defendant's program completion, or failure to complete. We keep statistics for the state on a monthly basis. We do re-referrals for the clients referred back to us following a non-compliance report to the Court and we do transfers for clients who move. We also provide out of state treatment programs with the certificates required by DMV for conviction clients so defendants can obtain their drivers license after completing their treatment. Occasionally we are called upon to testify in Court. And sometimes, like now, we attempt "do it yourself" testifying at the legislature. We have no lobbyist.

For decades, the ADESs have quietly, frugally, and diligently worked to help make the DUII system work very well in Oregon. The courts have appreciated and supported our role.

We have good working relationships with our treatment agencies and regularly confer with them regarding client issues.

ADESs also have a second, but similar role, working with marijuana diversion clients for the courts.

The vast majority of ADESs are in small businesses. We receive no financial funding at all from public money of any type, we look entirely to the defendant for payment for services. We receive no benefits, no retirement from the State of any kind. We receive no grant money. We do not access indigent funding or OHA funding. We cover our own overhead - pay for our rent, equipment, utilities, etc.

Our fees are set by statute, and have not been increased in a very long time.

This particular bill itself, effective January 15, 2015, does not seek to increase the fee for the ADES.

We have two entities which provide us with oversight. Any court which designates an ADES can remove that designation at any time. OHA can also remove us if we are found to be in noncompliance following mandated site reviews. OHA receives funding to provide