



# Oregon

Kate Brown, Governor

## Governor's Advisory Committee on DUII

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To: House Judiciary Committee

From: Connie Cabrera, Member  
Governor's Advisory Committee on DUII

Date: April 16, 2015

Subject: Opposition to HB 3233

Dear Chairman Barker and Members of the Committee:

My name is Connie Cabrera and I am coming to you on behalf of the Governor's Advisory Committee on DUII. I have testified in front of this committee before and you are aware of my background on the issues surrounding impaired driving. I am both a DUII victim and a DUII offender. You will likely hear from many experts in their field on these bills - law enforcement, prosecutors, defense attorneys and other organizations. But my experiences have put me closer to this issue than anyone could ever want to be. More than I would ever wish for anyone.

I am speaking today to oppose HB 3233. This bill allows a felony DUII offender who has received a lifetime license revocation - essentially meaning a minimum of 10 years before the offender can apply for a hardship permit - to apply after only five years, if an ignition interlock device is installed.

The GAC-DUII strongly supports ignition interlock devices as a means of keeping offenders accountable, especially to support an offender when going through substance abuse treatment as they would after their first offense with a Diversion Agreement. However, the GAC-DUII also recognizes that after four DUII offenses, as would be the case with HB 3233, the offender has had multiple opportunities for treatment, IID's, diversion, hardship permits, suspensions, jail time and every other incentive available to make safe, responsible choices on the road. HB 3233 just enables the felony repeat offender to continue to make those same reckless, irresponsible choices sooner, putting themselves and everyone else at risk.

IID's are an effective tool. However, Oregon's ignition interlock system is a patchwork of good intentions, but lacking in cohesive coordination. Oregon's system lacks the necessary safeguard of established communication between the IID providers, the courts and other professionals in the DUII continuum...in particular, during the assignment of an IID with a conviction. There is simply no framework for any oversight authority on convictions to receive or share information pertaining to a

negative IID report of tampering, unauthorized removal or worst of all, attempts to start the vehicle with a detectable blood alcohol content. A felony offender under HB 3233 could apply for a hardship permit, install the IID and spend the next five years violating the spirit of the IID with absolutely no accountability or oversight.

Several bills this session and administrative rules are making some of the first changes needed for cohesiveness, but there is much work to be done. Passing HB 3233 would tragically premature and put the very worst DUII recidivists...a small fraction of the bulk of DUII cases annually...back behind the wheel with no oversight. The risk is too much and the cost is too high.

On behalf of the GAC on DUII, I respectfully request the House Judiciary Committee to not pass HB 3233.

Thank you for your time.