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SENATE JUDICIARY COMMITTEE

May 27, 2015

RE: HB 2317A—SUPPORTING A 20 YEAR STATUTE OF LIMITATIONS FOR 4 FIRST DEGREE SEX
CRIMES

The Oregon District Attorneys Association supports a twenty year statute of limitations for the crimes of Rape in the First Degree, Sodomy in the First Degree, Unlawful Sexual Penetration in the First Degree and Sexual Abuse in the First Degree. For the following reasons, HB 2317A should be amended to reflect a 20 year statute of limitations rather than the 12 year statute of limitations currently in the bill.

- These 4 crimes are various serious and should not be prohibited from prosecution just because twelve years has passed.
- In sexual assault cases, there is often delayed reporting, sometimes for many years, because of the emotional trauma suffered by the victim. When the victim is ready to talk, the criminal justice system should be ready to respond if proof beyond a reasonable doubt is available.
- Offenders, who do one or more of these horrible crimes, should not “get away with it” just because time has passed.
- Scientific testing of DNA evidence is now better than ever and the back log of untested samples, when tested, may well reveal the perpetrators of these horrible crimes from long ago.
- Proof beyond a reasonable doubt is the standard for conviction whether the case is current or many years old. Prosecutors use this standard every day in deciding whether to prosecute or not. They can apply it to “old” first degree sexual assault cases just as they do for old murder cases.

Respectfully Submitted,

Doug Harclerod