

April 12, 2017

The Honorable Jeff Barker, Chair
The Honorable Andy Olson, Vice-Chair
The Honorable Jennifer Williamson, Vice-Chair
House Judiciary Committee Members

Re: House Bill 3078

Dear Chair Barker and Members,

On behalf of the Oregon Justice Resource Center, I respectfully request your support for HB 3078.

The Oregon Justice Resource Center (OJRC) is a public interest law firm that represents justice-involved individuals and advocates for criminal justice reform in Oregon. We operate and administer several distinct projects that provide direct legal assistance to Oregonians who would otherwise not have access to legal services.

I have the privilege of directing the OJRC's Women in Prison Project. The goals of the Women in Prison Project are to ensure that the criminal justice system treats women fairly, protects their health and safety, and makes it possible for them to successfully rejoin their communities when they are released. Through this project, I provide civil reentry legal services to women incarcerated in Coffee Creek Correctional Facility (CCCF) and hear directly from incarcerated women and formerly incarcerated women about their intersection with the criminal justice system.

Oregon is now facing the unfortunate results of having overlooked its justice-involved women, many of whom are mothers, for too long during the era of mass incarceration. Over the past twenty years, the incarceration rate of women has tripled. Despite Oregon's crime rate being at 30-year lows and the arrest rate for women having decreased in the last two decades by 36-40%, the number of women sent to prison in Oregon continues to balloon. As a result, Oregon's only women's prison is struggling to operate safely under the pressure of housing more women than it was built for and the state is grappling with the decision to open a second women's prison at an additional cost of nearly \$18 million per biennium.

In 2016, 70% of women in CCCF were convicted of drug and property crimes, which are driven by underlying social and public health issues – largely drug addiction. Over the past couple of decades, changes to Oregon's sentencing laws have contributed to more punitive sentences for these non-violent offenses. For example, from 2005 to 2010, when Oregon was experiencing the largest property crime rate drop of any state, Oregon's repeat property offender statute was

amended to increase presumptive sentences and take away judicial discretion in sentencing. This change led to a significant rise in female prison intakes.

When I speak with women convicted of drug and property offenses, it is clear that their crimes are often driven largely by trauma and drug addiction. I spoke with one woman who began using heroin in her early teen years. She struggled with her addiction into her adulthood and, after the devastating loss of parental rights of her young children, she fell deeper into her addiction. At the suggestion of a drug addicted acquaintance, she and the acquaintance began burglarizing homes to pay for drugs. Prior to this 6-month period of criminal activity, this woman's criminal record consisted of driving violations and failures to appear. Despite these relatively minor prior offenses, under the repeat property offender statute, she was sentenced to nearly a decade in prison.

Like many justice-involved women, this woman was a mother. Excessive prison sentences affect more than just the incarcerated parent. It breaks up families, puts children at risk, and contributes to intergenerational cycles of diminished opportunity and incarceration. Studies have shown that excessive prison terms are an expensive and ineffective approach to improve public safety and address social and public health issues, such as drug addiction. Furthermore, it funnels money to costly prison beds and away from more effective investments such as treatment and education.

By supporting HB 3078, Oregon legislators have a real opportunity to safely, economically, and more justly reduce the women's prison population for the long term and avoid opening another prison. A key component of HB 3078 is the realignment of sentencing for drug and property offenses to return presumptive sentences for certain drug and property convictions to 2007 lengths and restore judicial discretion. HB 3078 also increases eligibility for qualified parents to receive intensive supervision and community-based services to build stronger and healthier families, expands short-term transitional leave, invests in victim services, and maintains Justice Reinvestment.

The Oregon Justice Resource Center strongly supports forward thinking approaches such as these. We strongly urge you to support HB 3078.

Sincerely,

Julia Yoshimoto
Attorney and Project Director
Women in Prison Project and Reentry Law Project
Oregon Justice Resource Center

