



# Oregon District Attorneys Association, Inc.

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May 15, 2017

TO: Honorable Floyd Prozanski, Chair  
Members of the Senate Judiciary Committee

FROM: Kevin Neely, Oregon District Attorneys Association

RE: HB 3380-A – Family Sentencing Alternative Pilot Program

The Oregon District Attorneys Association supports updating and expanding the Family Sentencing Alternative Pilot Program but **OPPOSES HB 3380-A**, which goes too far by expanding access to all VIOLENT offenders.

The problem:

The program is based on a successful State of Washington model that expressly excludes most violent offenses. Oregon's program currently does the same, but because **Oregon incarcerates fewer drug users and property offenders with longer rap sheets**, it has been difficult to maximize the impact of the program. See the attached overview of Oregon's prison population.

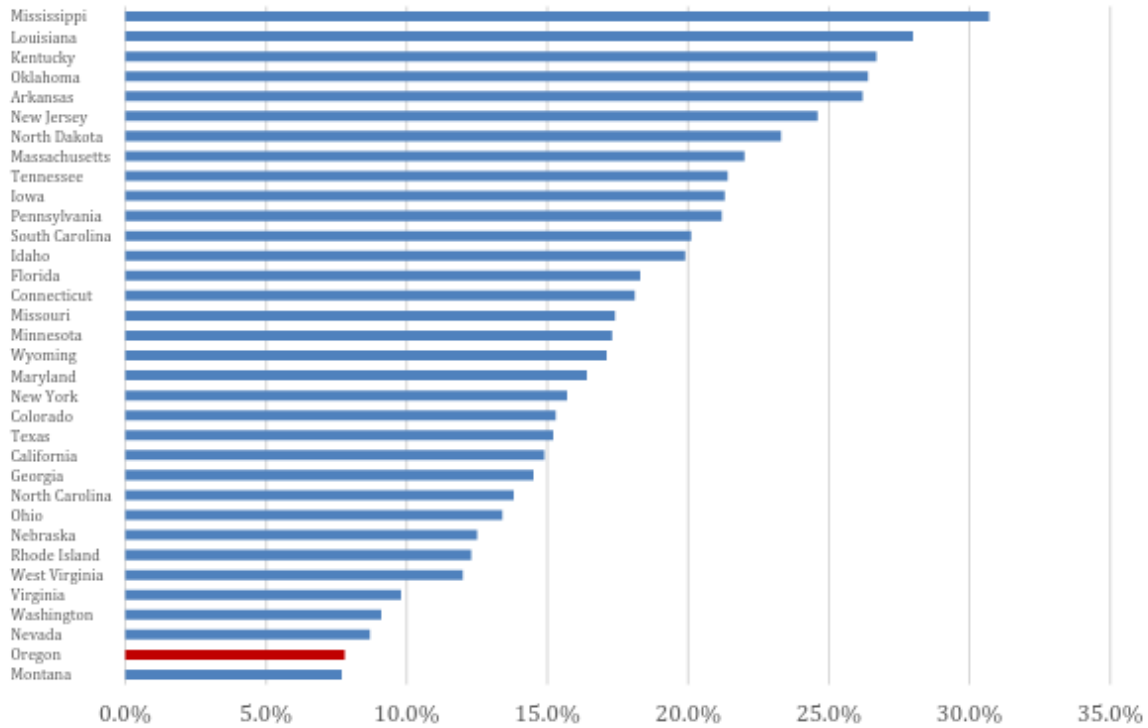
What does the bill do and what are the risks?

- IT DOES... Expand the program to allow participation by defendants who were previously convicted of ANY person crimes. THE RISKS... This broad exception makes eligible even those with prior convictions for serious violent felonies such as rape, assault and murder. Extremely dangerous offenders may participate, putting families and citizens at risk.
- IT DOES... Expand the program to include women pregnant at the time of the offense or at the time of sentencing. THE RISKS... May incentivize pregnancy to avoid prison sentence.
- IT DOES... Expand the authority of the Department of Corrections to identify new jurisdictions in which to expand the program. NO RISKS.

The solution?

- Option 1 – Exclude offenders with prior convictions for sex crimes and violent crimes. The pool of affected offenders will still be large enough to fill all the available spaces.
- Option 2 – Insure that district attorneys, probation departments and local law enforcement have authority to review eligibility on a case-by-case basis.
- Option 3 – Pass SB 895, which enacts the consensus policy from the Public Safety Task Force.

Drug offenders as percentage of state prison population, 2010



Violent offenders as percentage of state prison population, 2010

