

FROM: John Gear, 161 High St SE STE 208B, Salem OR 97301

To: Hon. Jennifer Williamson, Chair; Hon. Chris Gorsek, Vice-Chair; Hon. Sherrie Sprenger, Vice Chair; House Judiciary Committee Members

SUBJ: Please Support Better DA Accountability by Passing HB 3224

I write to ask that you pass House Bill 3224 and work with the Senate to send it to the Governor for approval.

Although I am an attorney, I want to note that I don't practice criminal defense. Instead I support this bill because of my long experience in performance and quality management and as an advocate for citizen empowerment and government accountability.

HB 3224 is simple - it makes it possible for the public who elects DAs to have the opportunity to have key office policies documented so that the public can know what the policies are, and if they are being followed.

Right now, DA offices are essentially black boxes that consume enormous state resources and provide no way for the public who pays the bills to examine the policies driving the outcomes.

I urge every member of the committee to support HB 3224 and, if anyone want to read more on why HB 3224 is so important, read these two important books:

“Locked In: The True Causes of Mass Incarceration and How to Achieve Real Reform” by Professor John Pfaff, and

“When Brute Force Fails: How to Have Less Crime and Less Punishment” by Professor Mark A. R. Kleiman.

Professor Pfaff makes the point that prosecutors drive the entire criminal justice system, and their incentives are often counter to those that we want as a society. We need to require all the prosecutors to state their policies in key areas clearly so that we taxpayers can monitor our prosecutors. Kleiman’s book offers proven policy recommendations for having both less crime and less punishment.

No state ever imprisoned its way to prosperity.

Oregon has seen an explosion costs in the Department of Corrections, and reducing those costs requires a better understanding of what is driving the decisions about who we prosecute and imprison and for how long.

We must bring DAs into the same transparency that the Legislature requires of other law enforcement agencies

and, indeed all other areas of government. It makes no sense that in this area, where government power is strongest, we have the least insight into the working principles for decisions.

Democracy requires both transparency and accountability, from the criminal justice system just as from other areas of government. Please pass HB 3224 and clearly establish the principle that DAs, the most important actors in the criminal justice system, have to set clear policies and allow the public to assess how well each office lives up to its principles. Oregon's budget woes are only getting worse, and until we redirect our prosecutors, we cannot make progress in addressing that.

Cordially,

s/ John Gear

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