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**TO: Senate Committee On Judiciary and Ballot Measure 110 Implementation**  
**FROM: Mae Lee Browning, Oregon Criminal Defense Lawyers Association**  
**DATE: March 29, 2021**  
**RE: Support for SB 835**

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Chair Prozanski, Vice Chair Thatcher, and Members of the Committee:

My name is Mae Lee Browning and on behalf of OCDLA, I write to express support for SB 835.

The Oregon Criminal Defense Lawyers Association is a nonprofit professional association for experts, private investigators, and attorneys who represent Oregon's children and parents in juvenile dependency proceedings, youth in juvenile delinquency proceedings, adults in criminal proceedings at the trial and appellate level, as well as civil commitment proceedings throughout the state of Oregon.

Oregon's aging prison population is rising. The cost of caring for these individuals is high and their recidivism rate is very low. Prisons are generally ill-equipped to meet the needs of elderly and chronically-ill patients who may require intensive services for these conditions.

The pandemic has revealed that our state's medical release eligibility criteria was inadequate when it came to saving the lives of AICs. As of March 20, 2021, Oregon DOC has reported 42 deaths of AICs who tested positive for COVID-19.

Oregon's compassionate release criteria was not only insufficient to save the 42 lives lost during the pandemic and but also insufficient to address our aging prison population. Our current compassionate release process is ineffective. The eligibility criteria are too narrow and not available to most AICs in need of compassionate release. The application process is unclear and the review process can take a significant amount of time to complete.

SB 835 creates a compassionate release process that is accessible and robust. It expands eligibility criteria so that compassionate release is available to all AICs in need of such release and requires agencies to make information about the process readily available to AICs and their loved ones. SB 835 allows decisions to be made in a timely manner and creates an expedited process for urgent cases. It also requires data collection and reporting.

SB 835 creates an independent committee of licensed medical professionals, appointed by the governor and compensated, to review applications and make release recommendations. The committee's recommendations carry a significant amount of weight in the ultimate release decision to be made by either the Board of Parole or the sentencing court. The Advisory Committee would include experts from a variety of disciplines, which ensures that specialists in medical, mental health and other fields assess eligibility. This multidisciplinary approach further ensures a



straightforward and comprehensive review that will in turn give confidence to the ultimate decision-maker.

SB 835 is a sensible approach that is sorely needed now. OCDLA urges your support SB 835. Thank you for the opportunity to provide this testimony.

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