



February 7, 2023

Senate Committee on Judiciary
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Testimony in Support of Senate Bill 581

Dear Chair Senator Prozanski, Vice-Chair Senator Thatcher, Senator Dembrow, Senator Linthicum, Senator Gelser Blouin, and Senator Manning

Thank you for the opportunity to provide testimony on behalf of the American Civil Liberties Union of Oregon (ACLU of Oregon). The ACLU of Oregon is a nonpartisan, nonprofit organization dedicated to preserving and enhancing civil liberties and civil rights, with more than 28,000 supporters statewide. The ACLU of Oregon is part of the Transforming Justice Coalition: a group of people who are directly impacted by the criminal justice system, culturally specific service providers, and policy advocates who come together to reimagine our public safety system.

The ACLU of Oregon strongly supports Senate Bill 581, which would make the earned discharge eligibility requirements consistent for people who are on parole, probation, and post-prison supervision.

The use of harsh, long post-prison supervision systems—both parole and probation—feed into mass incarceration. Nationwide reports reveal that most people incarcerated while under post-prison supervision were not convicted of new offenses. Rather, they were incarcerated for breaking the rules of their supervision, such as using drugs or alcohol, failing to report address changes, or not following the rules of supervision-mandated programs.¹

Harsh supervision systems place undue burdens on previously incarcerated individuals — especially Black, Indigenous, Latinx, and other people of color. These programs unnecessarily disrupt people’s families, employment, and more, preventing them from rebuilding their lives. Extended periods of parole and supervision can exceed the time of incarceration, lengthening interactions with the criminal justice system well beyond a person’s conviction.

In Oregon, the Earned Discharge program is a Department of Corrections and Community Corrections process that allows someone on supervision to earn a reduction in the length of their supervision sentence if they meet their supervision goals. Senate Bill 581 would require individuals meeting their supervision goals to be given progress reports and to be notified when they earn their discharge. This would ensure individuals under supervision are discharged in a timely manner to prevent delays and unnecessary burdens. Senate Bill 581 also creates

¹ Allison Frankle, “Revoked: How Probation and Parole Feed Mass Incarceration in the United States,” ACLU, 2020. Retrieved: [ACLU and HRW Report: Revoked: How Probation and Parole Feed Mass Incarceration in the United States | American Civil Liberties Union](#)

consistency by allowing those who are successfully meeting their supervision goals to earn up to a 50% reduction in their sentence. This bill also ensures that program eligibility is determined using the same criteria for everyone, regardless of when they were convicted.

The passage of Senate Bill 581 would incentivize success, reduce caseloads, and promote racial equity by making earned discharge consistent for all and reducing extended supervision that creates barriers. **The ACLU of Oregon urges your support for Senate Bill 581 and asks you to pass it out of committee.**

Respectfully,

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