



**Service Employees International Union – Oregon State Council**  
6401 SE Foster ▪ Portland, OR 97206

March 13th, 2023

Chair Prozanski, Vice-Chair Thatcher, and Members of the Senate Committee on Judiciary,

**Thank you for the opportunity to provide testimony in support of Senate Bill 817 to expand the eligibility to pre-plea probation and diversion.** My name is Alberto Gallegos and I am submitting this testimony on behalf of the Service Employees International Union (SEIU), Oregon. SEIU Oregon is composed of SEIU Local 503 and SEIU Local 49, which together represent over 87,000 people. Local 49 represents private sector janitors, property service workers, light manufacturing, and healthcare workers; while Local 503 represents homecare workers, private nonprofit workers, in-home childcare providers, nursing home workers, and state and local government employees.

Hundreds of Oregonians are currently stuck in limbo because Oregon has failed to uphold its constitutional responsibility to provide adequate legal counsel to those who can't afford a private attorney. With our public defense system so chronically under-resourced, people accused of crime are either waiting indefinitely for a public defender to become available or are negotiating plea deals without adequate legal support. This leads to system imbalances and vulnerabilities that contribute to unjust case outcomes, disproportionately impacting Black and brown communities.

Part of Oregon's high cases could be prevented by connecting people with services and programs that address the root causes of their criminal justice system involvement. People's lives can forever be changed by an unjust ruling — leading to excessive prison and jail sentences, separation from family, fines and debt, restricted job and housing opportunities, and isolation and trauma. This cycle is costly to individuals, families, communities and puts unnecessary strain on our support systems.

SB 817 expands human-centered criminal legal processes that balance system efficiency with individual accountability by making more people charged with low-level crimes eligible for "Pre-plea Probation" or "Pre-plea Diversion". Pre-plea probation and diversion allow Oregonians accused of misdemeanors and nonperson low level (class c) felonies, other than DUIs, to avoid pleading guilty and earn dismissal of their charge while remaining under the supervision of the court.

By expanding the eligibility to pre-plea probation and diversion, the SB 817 will allow more Oregonians accused of low level crimes a pathway to take responsibility and work toward

charge dismissals through counseling and/or community service, reducing the caseloads for public defense attorneys while also improving outcomes for the community.

**SEIU Oregon urges this committee to vote in support of SB 817.**

Thank you,

Alberto Gallegos  
Political and Government Relations Organizer  
SEIU, Oregon State Council