



**TO: Sen. Floyd Prozanski, Chair
Sen. Kim Thatcher, Vice-Chair
Members of the Senate Committed on Judiciary**

**FR: Amanda Dalton
Oregon District Attorney's Association**

RE: SB 1027 – OPPOSE

March 23, 2023

The Oregon District Attorneys Association (ODAA) opposes the passage of SB 1027 because it would require the Parole Board to release from prison individuals who have committed murder without demonstrating that they have been rehabilitated and are no longer a threat to the safety of the community, which is required under the current law.

Currently, an Adult in Custody (AIC) who has been sentenced to a term of life imprisonment for aggravated murder and murder may apply to the parole board to convert their sentence from “life imprisonment” to “life with the possibility of parole”, unless they are serving a “true life” sentence with no possibility of parole. Once an AIC has served their minimum term of imprisonment, the parole board holds a murder review hearing and evaluates if the AIC has demonstrated that they are “capable of rehabilitation.” If the Board makes such a finding the AIC’s sentence is converted to “life with the possibility of parole” and the AIC is given a new date to come before the parole board where they will be evaluated to determine if they are no longer a danger to the safety of the community. This methodical and deliberate two hearing process ensures that the Board first addresses the question if an AIC is capable of rehabilitation and then ascertains, in a separate hearing, if they are sufficiently rehabilitated to no longer be a threat to the safety of the community if they were released on parole.

SB 1027 would eliminate the crucial second hearing, which is the hearing that determines if an AIC convicted of murder is actually rehabilitated and would not be a safety risk if released to the community on parole. Instead, SB 1027 would require the parole board to release the AIC only 60 days after their murder review hearing. Additionally, a convicted murderer would be required to be released after only demonstrating that they are “capable of rehabilitation” and not actually rehabilitated. This change unnecessarily endangers victims and the community by lowering the standard for release by the parole board.

By eliminating the second hearing the bill removes the opportunity for the parole board to order that the AIC undergo a psychological evaluation as part of its release determination. Additionally, the bill does not authorize the Board to require that an AIC undergo a psychological evaluation at murder review hearing. This results in the loss of crucial information that can help the Board determine how much of a risk the AIC would present in the community.

Crime victims and survivors are also deprived of the legal process they believed would occur before a murderer could be set free. They were informed that there would be a deliberate hearing process where the sole question would be whether or not their perpetrator was rehabilitated and no longer a safety threat before being released. Instead, SB 1027 sets a much lower standard for release and denies victims' families a sense of security.

ODAA opposes SB 1027 and urges that the committee not support the bill.