



Testimony of Aliza Kaplan
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March 23, 2023

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

Thank you for the opportunity to provide comments on SB 1027 and the -1 amendment. My name is Aliza Kaplan. I am a law professor and the director of the Criminal Justice Reform Clinic at Lewis & Clark Law School. The Criminal Justice Reform Clinic (Clinic) offers an opportunity for law students to get hands-on legal experience while working on cases and important issues in Oregon's criminal legal system.

Every year for at least the last five years, the Clinic has represented between eight and 10 petitioners (adults in custody petitioning the Board of Parole and Post-Prison Supervision (the Board) for release) in release hearings.

There is currently a two-part release hearing process for certain Adults in Custody (AICs) who are convicted of aggravated murder or murder, the subject of this bill. First, the petitioner must participate in a Murder Review Hearing, where the Board determines whether or not the petitioner "is capable of rehabilitation within a reasonable amount of time." Then, the Board holds a second hearing, an Exit Interview, where it reviews the AIC's psychiatric evaluation, conduct while confined, and parole plan. The Board must determine whether or not the petitioner has a "present severe emotional disturbance" or whether they have a "present severe emotional disturbance that can be adequately controlled in the community."

This two-part release hearing process is duplicative and lengthy, as well as traumatic for all parties involved. And like the other release hearings in Oregon and the majority of release hearings in other states, the process can be modernized while still maintaining the original intent of the two-part process and consideration for victims and families.

In 2021, the Clinic began working with Dr. Christopher Campbell of Portland State University on a joint study on parole release hearings in Oregon and published the findings in a report the following summer. The report, linked [here](#) and uploaded to OLIS, describes the history of parole in Oregon, as well as the current state of the parole system, and recommended several reforms that would improve the quality of the parole release process. A significant portion of the report was dedicated to interviews of past and present Board members, victims' advocates, adults in

custody, and parolees; all who gave helpful insight on areas within the purview of the Board that are ripe for reform.

We appreciate this bill being brought forward and for the committee being willing to engage in this discussion. We respectfully request that the committee hold on moving this bill forward, and instead, put together an interim work group to look at the broad spectrum of reforms that can be made to the parole process in Oregon. The Clinic believes strongly that any changes to the current process require a longer conversation and should be in consultation with stakeholders, including the Board itself.

We can achieve meaningful parole reform in Oregon, but we must be thoughtful in our approach and not rush to band-aid fixes.