

To: Members of the Oregon House Committee on Rules

Re: Support for HB 1516 — Restoring individualized judicial discretion to consider flight risk at pretrial release

Dear Chair Bowman, Vice-chair Elmer and Pham, and members of the Rules Committee,

I write in strong support of HB 1516, particularly the provisions that reaffirm and clarify a court's authority to consider the statutory primary and secondary release criteria — including risk of failure to appear — when making pretrial release determinations.

Under current practice in some jurisdictions, standing pretrial release orders can constrain individualized judicial discretion. HB 1516 makes clear that such standing orders do not limit a magistrate's authority to evaluate the full statutory criteria in each case. This clarification restores the Legislature's intent: that release decisions be based on individualized facts, including community safety and flight risk.

That clarification is not theoretical. In Eugene and across Lane County, our community has experienced an alarming series of home invasions and residential burglaries that have disproportionately impacted Asian residents. These crimes have not only resulted in material loss, but in fear — particularly within communities that already experience heightened vulnerability. In several of these cases, concerns have arisen regarding defendants failing to appear or fleeing prosecution after arrest. When that occurs, public trust in the justice system is weakened and victims are left without closure.

HB 1516 offers a legislative response that is both proportionate and necessary. The bill clarifies statutory authority governing pretrial release decisions and reinforces the court's ability to consider individualized flight risk. It aligns Oregon law with established public safety models that emphasize accountability, deterrence, and community stability — while maintaining judicial oversight and due process.

Let me be clear: public safety and civil liberties are not at odds. They are, in fact, mutually reinforcing principles. A society that ensures the safety of its residents enables full civic participation; conversely, unchecked criminal victimization erodes trust, discourages engagement, and undermines social cohesion. When members of our communities feel unsafe in their own homes, the moral imperative for legislative action is unmistakable.

Supporting HB 1516 is not merely a response to headlines. It is a response to verified harm, documented impact, and legitimate fear expressed by constituents. It is consistent with Oregon's longstanding commitment to equitable treatment under law.

HB 1516 does not eliminate judicial discretion — it restores it. It does not presume detention — it permits consideration of relevant statutory factors, including the risk of nonappearance, when facts warrant that analysis. It respects constitutional safeguards while acknowledging practical realities.

As you deliberate on HB 1516, I urge you to consider not only the letter of the law, but the lived experience of those who seek refuge in their homes expecting safety. Communities should never be asked to choose between safety and dignity. This bill recognizes that imperative and offers a measured, legally sound framework for addressing it.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel P. Isaacson". The signature is fluid and cursive, with a large initial "D" and "I".

Daniel P. Isaacson