



Oregon District Attorneys Association, Inc.

2019 Board Officers & Directors

Beth Heckert, President
Rod Underhill, 1st Vice President
Doug Marteeny, 2nd Vice President
Patty Perlow, Secretary/Treasurer

Dan Primus, Director
Aaron Felton, Director
Kevin Barton, Director
Matt Shirtcliff, Immediate Past President

March 28, 2019

TO: Honorable Floyd Prozanski, Chair
Members of the Senate Judiciary Committee
FROM: Beth Heckert, President, Oregon District Attorneys Association
RE: SB 966, 967, 968, 969, 1008

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

My name is Beth Heckert. I am the Jackson County District Attorney and the President of the Oregon District Attorney's Association (ODAA.)

Reasonable, smart minds can disagree on the juvenile justice policies before you today, so I appreciate the opportunity to give my perspective.

Our organization has had numerous conversations about these bills. We also have diverse opinions regarding juvenile justice issues, which has made it difficult to communicate with a unified, singular voice. As independent elected officials, we must stay true to our ideals and our constituents who entrust us with upholding public safety.

Our conversations made two things absolutely clear, however: First, Oregon's District Attorneys care very much about these cases. For several reasons, these are some of the hardest cases we prosecute.

The second absolute has been our ongoing concern about process. Specifically, we believe that a super-majority amendment to Ballot Measure 11 will allow future amendments by a mere simple majority. This concern makes it difficult to meaningfully participate on discussions regarding policy.

I would like to thank legislative counsel for their work on this question, and we look forward to their insight.

The reason why this matters so much to ODAA is because Oregon's ballot measure process is the most direct way for Oregonian's to translate their will and intent in to law.

Not every state affords its citizens such a direct voice, and as elected officials sworn to uphold the law, Oregon's District Attorney's believe that voices matter;

- The voices of our constituents that elected us to serve justice and uphold public safety;



Oregon District Attorneys Association, Inc.

2019 Board Officers & Directors

Beth Heckert, President
Rod Underhill, 1st Vice President
Doug Marteeny, 2nd Vice President
Patty Perlow, Secretary/Treasurer

Dan Primus, Director
Aaron Felton, Director
Kevin Barton, Director
Matt Shirtcliff, Immediate Past President

- The voices of victims who have been hurt by the very people affected by this legislation package;
- And the voices who believe that truth-in-sentencing matters, because we need accountability for offenders and integrity in the justice system.

Thus, ODAA's position remains as it began: Any bill that legislatively amends criminal justice ballot initiatives should be referred back to the people for their consideration.

Because their voice matters.

Legislative Counsel has identified those bills as SB 966, 968, 969, 1008 (among others).

So what is ODAA's solution?

There are less-drastic ways of supporting juvenile justice reform without over-riding the peoples' vote:

- Create more training opportunities for attorneys and judges to receive implicit bias training, and training around youth brain development;
- Fully-fund indigent defense, including psychological testing so that everyone can better understand the offender before them;
- And most importantly, fully-fund OYA. Let them build upon their rehabilitation programs, intensive supervision units, and lower their caseloads.

We acknowledge that other states are not as determinative with their sentencing laws as applied to this population; however, we also know that other states dedicate more resources than Oregon currently does to adequately monitor and rehabilitate juvenile offenders.

And if we're going to compare to other states, how do we compare the meaningfulness of Oregon's ballot initiative process?

And yet, ODAA is not here to hide behind "process." Some of the bills before you are reasonable policy. To talk about that in more detail, I would like to introduce Brendan Murphy, a Deputy District Attorney for Marion County.

Thank you for considering our concerns.