



**Testimony of Kimberly McCullough, Policy Director
In Support of SB 1002
House Rules Committee
June 5, 2019**

Chair Holvey and Members of the Committee:

The American Civil Liberties Union of Oregon¹ supports SB 1002, which would which would prohibit the waiver of access to legislatively created rehabilitation programs designed to reduce recidivism in plea offers and agreements.

Close to 95% of cases in Oregon's justice system get resolved through plea agreements. In these cases, criminal defendants are often required to waive access to rehabilitative programs as a condition of their plea agreement. This practice is ripe for reform.

Waiver of programs which have been designed by this legislature to encourage rehabilitation and to help put the lives of criminal defendants back on track is counterproductive. For example, sentence reductions for work, skills development, or good behavior promote safety in our correctional facilities and help create pathways for reintegration and productivity after incarceration. Allowing waiver of access to these important programs undermines the purposes they were created for and disregards the intent of this legislature.

The bill prohibits prosecutors from conditioning a plea offer on the defendant's waiver of eligibility for a number of programs this legislature created, including transitional leave, good time, and earned time. This includes reductions of sentences for work, skills development, or good behavior while incarcerated.

The ACLU of Oregon urges you to support SB 1002. Please feel free to contact us if you have any questions, comments, or concerns.

¹ The American Civil Liberties Union of Oregon (ACLU of Oregon) is a nonpartisan, nonprofit organization dedicated to preservation and enhancement of civil liberties and civil rights, with more than 45,000 members and supporters statewide.