

From the Desk of
Representative
Sherrie Sprenger



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

Vote No on SB 1008

ISSUE: SB 1008A makes sweeping changes to Oregon's juvenile justice system. While ODAA agrees that Oregon's juvenile justice system could improve, **overriding a ballot initiative with a legislative super-majority is not the answer.**

SB 1008A will create serious procedural problems:

- Will release offenders that committed violent sexual assault and rape, murder, firearm offenses, and serious assaults within 56-days of their offense unless they are tried and convicted (required release within 28-days, allowing one "good cause" 28-day extension)(ORS 419C.150);
 - In 2016, 92% of the 162 sexual assault cases at OYA where for first degree offenses- meaning, the offender used force, or the victims were under 12, or mentally/physically incapacitated.
 - 82% of these victims were under 12.
- SB 1008A allows a transfer to a court *where the offender resides*, not just where the crime occurred. Thus, witnesses and *Oregon's most-violated and vulnerable victims* may have to travel to testify or exercise their rights for offenders that live out-of-county (ORS 419C.050). This is true even for the SB 1008A waiver process;
- Imagine being a parent of a murdered child and at "sentencing" for a non-waived offender, OYA, CASA, and the offender's parents are invited to counsel table *as legal parties*. (ORS 419C.285). SB 1008A does nothing to expand victims' rights in juvenile proceedings;
 - SB 1008A does nothing to increase information victims can receive, which is much more limited in juvenile court due to juvenile record confidentiality. (*See* ORS 419A.255-57).

A court should be allowed to increase sentences for multiple crimes:

- Even if waived, SB 1008A allows every under-18 offender- *regardless of number of victims or crime committed*- to be eligible for parole after 15 years. (SB 1008A, sec. 25);
 - **Yes!- SB 1008A will make the next Kip Kinkle eligible for parole after 15 years.**
 - In March of 2016, 16.2% of the offenders at OYA were there for Murder or Aggravated Murder.



Chief Clerks Office

MAY 23 2019