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March 18, 2021

Representative Janelle Bynum, Chair  
Representative Ron Noble, Vice Chair  
Representative Karin Power, Vice Chair  
House Committee on Judiciary

RE: HB 2825

Dear Chair Bynum, Vice-Chairs Noble and Power, and Members of the Committee:

We write in support of HB 2825.

Fortunately for us, we're not survivors of domestic violence. Also fortunate for us, we've had the privilege of helping hundreds of people who are survivors of domestic violence.

We helped these people as prosecutors by doing our best to ensure they are listened to and respected throughout the judicial process, and by crafting proposed sentences to keep them safe. And we've helped these survivors in our previous careers as criminal defense attorneys by advocating for sentences that account for the reality that the trauma they experienced in their abusive relationships contributed to them committing a crime.

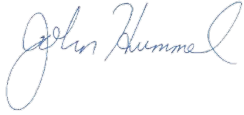
Why were we advocating for survivors of domestic violence in our roles as criminal defense attorneys? We did so when these survivors were defendants. 65 percent of females convicted of crimes that sent them to prison in Oregon reported experiencing abuse in their relationships (Coffee Creek inmate survey 2017-18).

We've found most judges in Oregon to be sympathetic to sentencing arguments that educate them about the extent and impact of a defendant's abusive relationship. Often judges will take this information into account when designing misdemeanor sentences. However, judges often want to take domestic violence history into account when sentencing a survivor for a felony conviction, but they find their hands are tied by Oregon's sentencing guidelines (which do not apply to misdemeanor crimes).

Passage of HB 2825 would allow judges in felony cases to do what they currently do in misdemeanor cases (and in fact, would require them to do so when domestic violence is a contributing factor in a defendant's crime).

If we walk a mile in the shoes of survivors of domestic violence, the righteousness of this bill is self-evident. We respectfully request your support of HB 2825. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "John Hummel".

John Hummel  
Deschutes County District Attorney

A handwritten signature in cursive script that reads "Matt Ellis".

Matt Ellis  
Wasco County District Attorney