



**TO: Sen. Floyd Prozanski, Chair  
Sen. Kim Thatcher, Vice-Chair  
Members of the Senate Committee on Judiciary and Ballot Measure 110  
Implementation**

**FR: Amanda Dalton  
OR District Attorneys Association  
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**RE: Support for SB 579**

March 29, 2021

Thank you for the opportunity to provide written testimony to the committee in support of SB 579.

SB 579 provides funding to the Oregon Public Guardian for individuals who have been found unable to aid and assist in their criminal case. This bill focuses on individuals who have been or are likely to be found never able to aid and assist in their case. This bill would provide assistance to the individuals who no longer qualify for hospitalization or community restoration treatment through the criminal justice process.

ODAA supports this bill because it provides services to a population whose needs are not being addressed. Individuals who have been found unable to aid and assist have a qualifying mental disorder and are in need of services before they can address their criminal charge. When their cases are dismissed because they have been found to never be able to aid and assist, the resources available to this population is limited. These individuals often leave the Oregon State Hospital without appropriate housing and services in place. The high acuity of symptoms of these individuals and their lack of access to resources increases the likelihood these individuals will continue to have law enforcement contact.

One example of how the services provided by the Oregon Public Guardian can aid this population is a case from Marion County. Marion County had an individual who had been coming in and out of county jail for years with mental health issues, and community partners and the District Attorney's Office believed they had addressed the situation by utilizing the civil commitment process. However, only two weeks after that commitment, while on a trial visit, this individual was arrested for kidnapping charges, involving complete strangers. When the DA's Office and community partners learned that the individual was determined to never be able to aid and assist by Oregon State Hospital, the DA's Office filed an application to the

Oregon Public Guardian. Without the availability of the Oregon Public Guardian, the State would not have had any other option but to initiate another civil commitment. Fortunately, the Oregon Public Guardian was appointed and the individual has since been successful in finding stable housing and has not had any new criminal charges. A key factor in this individual's success has been the involvement of the Oregon Public Guardian.

We urge your support of SB 579.