

Dear members of the Judiciary Committee,

I have been a criminal defense lawyer in Oregon for nearly 17 years. I write to respectfully oppose SB 214. A cornerstone of our criminal legal system is that presumptions arise against the state, not the defense. The state needs to have at least some substantive burden to prove — rather than merely to recite — the reasonableness of restitution. It need not be a heavy burden. Currently the burden is relatively slender. SB 214 effectively eliminates it. It threatens a system of perpetual debt for indigent defendants AND guarantees an increase in public defense costs fighting its impact. The bill should not pass.