



**TO: Sen. Rob Wagner, Chair
Sen. Fred Girod, Vice Chair
Members of the Senate Rules Committee**

**FR: Michael Wu
OR District Attorneys Association
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RE: SB 48 and the -A5 Amendment

May 27, 2021

Thank you for the opportunity to provide written testimony from the Oregon District Attorneys Association (ODAA) regarding SB 48 and the -A5 Amendment. ODAA is neutral on this bill with the -A5 Amendment. However, we have comprehensively participated in the SB 48 workgroup and acknowledge and support the constructive dialogue and process that the CJC, and Ken Sanchagrin, facilitated. Through these negotiations we were able to begin to address the important and complicated issue of security release reform, while advocating for a voice for crime victims in the conversation. It is this balance that you will find in the -A5 Amendment that weigh the necessity for change with the necessity for comprehensive victim input and notification in our pre-trial release system.

SB 48 with the -A5 Amendment would begin to reform the current system of pre-trial release in Oregon. Specifically, it begins to address the use of cash bail security release, while increasing the opportunities for crime victims to have more, and earlier, input into the pre-trial release process. The bill provides an important first step in requiring all counties with Judicial Department Release Assistance Officers to make reasonable efforts to notify crime victims and survivors of any release decision and to determine if they have any position on release. We are hopeful and encouraged that this commitment to meaningful victim notification and input will continue to have an important place as progress is made on Oregon's pre-trial release system. All the stakeholders assembled by the workgroup had thoughtful and engaged debate on these issues and all stakeholders made concessions to arrive at the final amendments.

We do want to acknowledge that the -A5 Amendment removes the minimum bail thresholds for all Ballot Measure 11 serious person felonies. ODAA remains concerned about how this policy change will impact victim and public safety, but we look forward to working with our judicial partners in its implementation and rely on the new language aimed at balancing community and victim safety when making these new determinations without the current minimum bail schedule.

Additional work, focused on both statutory and constitutional reform, will be needed to address concerns with the use of cash bail and to ensure our system of pre-trial release protects crime victims and the public and ensures that victims have meaningful input into the life changing decision about whether a defendant should be released from jail pre-trial.