



Federation of Oregon Parole & Probation Officers

PO Box 948 Canby, Oregon 97013

HB 2465 TESTIMONY IN SUPPORT February 12, 2025

Chair Kropf and members of the Judiciary Committee, my name is Jennifer Cameron. I am an Adult Parole and Probation Officer in Linn County. I am here today to ask for your support of HB 2465.

In 2012, a parole officer in my office attempted to arrest a parolee on a felony warrant. During that arrest, the parolee ran from the officer after having been told he was under arrest. That action constituted the crime of Escape 3 per ORS 162.145 which in part is defined as the unlawful departure of a person from custody. However, the DA's Office declined to prosecute. The Deputy DA explained that the definition of "custody" in ORS 162.135 means the actual or constructive restraint by a "peace officer". He went on to state that parole and probation officers are not included in the definition of "peace officer" within ORS chapters 161, 133 or 144, and therefore, a suspect cannot be taken into "custody" by a parole officer. With that, the suspect was not considered in custody, and therefore cannot escape from a parole officer.

In April 2022, a parolee who was facing a life sentence for sex crimes was arrested by one of my fellow officers. This parolee escaped from and attempted to assault the officer with a large machete. The parolee continued to fight and resisted responding police officers. The parolee had to be sedated by medics before he was safely detained. It goes without saying that this person committed the crime of escape but because it was a parole officer who was arresting him, he was not considered in custody.

The ambiguity of the law and definitions also leads to other questions about potential discrepancies with Use of Force, Search and Seizure and other laws affecting the duties of parole and probation officers and their safety. Adult parole and probation officers have the legal authority to arrest people on supervision and I want to believe the law did not intend to exclude parole and probation officers from taking suspects into custody. After all the primary duty of a parole officer is to provide public safety through offender accountability.

I respectfully ask for your support of HB 2465 which will bring consistency in the prosecution for the crime of Escape.

Thank you for your time.

Sincerely,

Jennifer Cameron, FOPPO Linn County Chapter
Albany, OR