



**TO: Rep. Jason Kropf, Chair
Rep. Kim Wallan, Vice Chair
Rep. Willy Chotzen, Vice Chair
Members of the House Committee on Judiciary**

**FR: Amanda Dalton
Oregon District Attorneys Association**

RE: HB 2555 – Support w. Amendments/Oppose “Caretaker” Expansion

February 19, 2025

ODAA offers partial support for HB 2555 with amendments and OPPOSITION to the proposed expansion of “caretaker.”

Currently five Oregon counties participate in the Family Sentencing Alternative Pilot (FSAP): Multnomah, Washington, Marion, Jackson and Columbia. The participating counties (speaking on behalf of the DAs) believe the program is working and working well within the current parameters to both rehabilitate offenders and protect the community.

ODAA offered support last summer to Community Corrections efforts to remove the sunset (currently a pilot program) and to the removal of prior criminal history as an automatic disqualifier since participants are still subject to approval for enrollment by the local county team (including DA, Community Corrections and the Court). Unfortunately, HB 2555 goes beyond those proposed changes to FSAP with a broad expansion to include “primary caregiver” or proponents most recent offer of “caretaker relative.”

The District Attorneys are supportive of the current program because it emphasizes the critical role (and legal obligation) of parents and guardians to care for their children and the importance of keeping this family bond intact. The proposed expansion, however, represents a dramatic departure from this foundational principle. By broadening the criteria to include individuals who do not have a formal legal obligation to the child, risks undermining the primary goal of the program and its current success. We also have significant concerns about the practicality of implementing this new criteria. Investigations under the expanded framework (to prove/disprove ‘caregiver’) will be exceedingly time-consuming, placing additional burdens on the judicial system and law enforcement. Determining the precise role and responsibility of

each person involved in a child's life will likely be complex and subjective, leading to inconsistencies in legal outcomes.

I also want to flag concerns with Section 1(9) of the introduced bill, requiring culturally specific services for each defendant under the program. While we support culturally specific services as often as available, we are concerned that this new requirement on all services will exclude some currently participating counties and future expansion. Culturally specific services are not available in every county and even those that do are not always approved for corrections. We believe the current OAR's already reflect this as a program goal, and provide flexibility necessary to ensure defendants can be served. See OAR 291-78-0005. It is our understanding amendments are forthcoming to address this concern.