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OREGON STATE SHERIFFS' ASSOCIATION
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PO Box 7468 Salem OR 97303

To: House Committee on Judiciary

From: Sheriff Lane Magill, President
Oregon State Sheriffs' Association

Kevin Campbell, Executive Director
Oregon Association Chiefs of Police

Date: February 9, 2026

Re: HB 4041 (Dash 1 Amendment) - Testimony in Support
Attempting to Elude Sentencing Enhancements

Chair Kropf, Vice-Chairs Chotzen and Wallan and members of the committee,

For the record, my name is Lane Magill. I am the Sheriff of Wasco County and currently serve as the President of the Oregon State Sheriffs' Association. I am here today on behalf of the Oregon State Sheriffs' Association (OSSA) and the Oregon Association Chiefs of Police to speak in support of the dash 1 amendment to HB 4041 and specifically to the provision that strengthens sentencing guidelines for the offense of attempting to elude a police officer in a motor vehicle.

From the perspective of sheriffs and chiefs across Oregon, eluding law enforcement in a vehicle is among the most dangerous behaviors we encounter. Vehicle pursuits regularly place innocent people at risk and too often result in pedestrian deaths, collisions involving uninvolved drivers, injuries to responding officers, and significant property damage. When a driver chooses to flee law enforcement, the danger is not confined to that individual or the officer, it often extends to everyone sharing the roadway.

Despite these clear and well-documented risks, current Oregon law ranks attempting to elude at a sentencing guideline level of 2, even when the conduct is repeated or when it results in physical injury to another person. The law does not adequately distinguish between a first-time offender and individuals who demonstrate a pattern of reckless, high-risk behavior that endangers the public.

The provision in HB 4041 addresses this gap with narrowly tailored, common-sense sentencing enhancements that focus on the most dangerous circumstances. For repeat offenders, the sentencing guideline ranking increases from 2 to 6. When an attempt to

elude results in physical injury to another person, the ranking likewise increases from 2 to 6. And when the conduct results in serious physical injury, the ranking increases from 2 to 8.

These changes are the result of more than a year of careful discussion and negotiation among stakeholders. They are intended to create a meaningful deterrent for individuals who habitually flee law enforcement, often at high speeds, while impaired, or in ways that dramatically increase the likelihood of serious injury or death. Importantly, these enhancements target behavior that is uniquely dangerous, not merely unlawful.

For these reasons, on behalf of the Oregon State Sheriffs' Association and the Oregon Association of Chiefs of Police, I respectfully urge your support for this provision of the dash 1 amendment to HB 4041. Thank you for your time and consideration.

Thank you for your consideration.