

Submitter: Mike Gaber
On Behalf Of: SB 1516A
Committee: House Committee On Rules
Measure, Appointment or Topic: SB1516

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Chair Bowman
House Rules Committee
Oregon State Legislature
Salem, Oregon

Re: Support for SB 1516A – Pretrial Release Authority Provision

Dear Chair Bowman and Members of the House Rules Committee:

I am writing in support of SB 1516A, and specifically the provision clarifying judicial authority regarding pretrial release decisions.

I support SB 1516A because it addresses a real and growing public safety gap in Oregon's pretrial system. In recent years, communities across the state have experienced organized, repeat property crimes carried out by individuals who have both strong incentives and demonstrated ability to flee the jurisdiction before trial. When courts lack clear authority to fully consider flight risk and danger to the community, defendants may be released under conditions that do not realistically ensure their appearance. This undermines accountability and erodes public confidence in the justice system.

This concern is especially acute within Oregon's Asian American and Pacific Islander community. Over the past two years, Asian American households in multiple counties have reported being targeted by organized burglary rings that select victims based on race, conduct surveillance, and operate across jurisdictions. These crimes are coordinated and profit-driven, and in some reported instances repeated pretrial release followed by flight has left victims without meaningful recourse.

The harm extends beyond financial loss. Families describe fear of sleeping in their homes, reluctance to attend cultural events or leave for work, and anxiety that their visibility within the community increases their risk of victimization. Even those not directly affected report diminished confidence in the justice system when individuals

charged in organized, repeat offenses are released despite clear indicators of flight risk.

SB 1516A does not mandate detention or weaken due process protections. It does not expand categories of preventive custody or alter the presumption of release. Instead, it clarifies that judges retain authority to make individualized determinations based on statutory criteria — including prior failures to appear, multi-jurisdictional activity, organized criminal conduct, and danger to the community — even when a standing release order exists.

Public safety and fairness are not opposing values. A balanced pretrial system must protect the rights of the accused while ensuring that individuals charged with serious or repeat offenses are present to face trial. Clarifying judicial discretion strengthens that balance, supports vulnerable communities, and helps restore trust that the justice system can function as intended.

For these reasons, I respectfully urge the Committee to approve SB 1516A and advance this important clarification of judicial authority.

Thank you for your consideration.

Sincerely,

Mike Gaber