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### **PRESS RELEASE**

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### **Announcing an Epidemic of Car Theft in Clackamas County**

Today the Clackamas County District Attorney's Office wants to alert our residents in Clackamas County that we have reached a true epidemic of car theft in our communities. In the past two years (2016-17) car theft in Clackamas County has increased 78% (when measured by the number of cases submitted to this office). Please see the attached chart.

Two cases decided by the Oregon Court of Appeals in 2014 and 2015 (State v. Korth, 269 Or. App. 238, February 2015 and State v. Shipe 264 Or. App. 391, July 2014) have made it extremely difficult to convict a car thief in Oregon. As one can see from the attached chart, car theft has skyrocketed in Clackamas County since those appellate cases were decided.

Common sense facts that have been traditionally used for years to convict car thieves were deemed by the Oregon Court of Appeals to be insufficient for the first time in these cases. Evidence such as damage to the vehicle, inside and out, the presence of a "crime committing kit", stolen property found in the stolen vehicle, possession of jiggle keys (filed down keys used by car thieves to steal vehicles) by the driver, the absence of car registration or insurance cards in the car, the car thief's claims that he got the car from another car thief, a provably dishonest story by the car thief about why he had the stolen vehicle, and drugs and drug paraphernalia in the vehicle were not enough for the Court of Appeals to allow a jury to convict. Without a confession (which seasoned property criminals rarely give), law enforcement is often unable to make good enough cases for arrests or convictions. And without serious consequences, prolific car thieves will not change their behavior.

As was reported in Willamette Week on 11/29/17, prolific car thieves have figured out that if they do not confess, they are likely never going to be held accountable for their crimes. "A lot of clients know the right things to say or not to say to avoid conviction," says Kami White, who supervises minor felonies unit at Metropolitan Public Defenders."

As all of us who have raised kids or worked with young people have learned, if we wish to change behavior there must be proportional consequences. Right now there are very few consequences for seasoned career car thieves in Oregon. And they have figured it out.

In 2008 voters decided that serious repeat property criminals would continue to victimize our communities unless there were more serious consequences. Oregon voters overwhelmingly passed Measure 57 which provided that a serious repeat property criminal (including car thieves) would become eligible for a short prison sentence more quickly than had been the law before 2008. Prior to the passage of Measure 57, repeat property criminals were not even eligible for a short prison sentence until their fifth felony conviction. And we know that when an active career property criminal is incarcerated, even for a short period of time, we can be certain they are not victimizing our communities.

For the past two legislative sessions the Oregon District Attorneys Association has proposed legislation to fix our car theft laws so cases can be more successfully prosecuted. In both sessions, legislative leadership killed the bills. There are now signs that during the upcoming legislative session, legislative leadership intends to roll back much of Measure 57, further weakening consequences for career property criminals including car thieves.

We encourage our communities and the media to pay close attention to this issue over the upcoming months.