



OREGON HOUSE OF REPRESENTATIVES

February 20th, 2026

Timothy G. Sekerak
Chief Clerk of the House
State Capitol Building
Salem, OR 97301

RE: Vote Explanation on HB 4041 A

Dear Chief Clerk Sekerak,

HB 4041 A is an omnibus bill that contains several provisions addressing important aspects of the criminal justice system. The bill reduces criminal penalties for certain crimes, increases penalties for others, establishes final timelines for post-conviction relief petitions for convictions by non-unanimous juries, and creates procedures for the state to petition to reincarcerate individuals who were released from the Department of Corrections because of a material error in time credit calculations. The sentencing recalculation provision of HB 4041 A applies retroactively to persons who were released from custody on or after July 10, 2025.

This engrossed bill with the inclusion of the -5 and -8 amendments resulted from good faith negotiations involving many stakeholders, and I support many of the components of this bill.

I made the challenging decision to vote “no,” however, because of the retroactive application of the sentencing recalculation provision that would impact specific, identified persons. To my knowledge, HB 4041 A would be the first time in Oregon history that the legislature will have enacted a law that punishes specific individuals for acts that occurred before the law was passed. I do not believe the legislature possesses that power. Regardless of whether the process of recalculating sentences and possible reincarceration would be just and fair to the individuals, crime victims, or communities, I do not believe it is the province of the Oregon legislature to pass bills directed at specific individuals for past conduct. Because I do not believe this is an appropriate exercise of legislative power, I chose to vote “no.”

Thank you for allowing me this opportunity to explain my vote on HB 4041 A.

Sincerely,

A handwritten signature in blue ink, appearing to read "Willy Chotzen".

Representative Willy Chotzen, House District 46 — Southeast Portland

