



Oregon Voices
990 Judson SE
Salem, OR 97302

April 3, 2015

RE: Hearing on April 7 regarding HB 3498

Chair Barker, Vice-Chairs Olson and Williamson, members of the committee:

My name is Ken Nolley; I am a retired Willamette University professor and I am writing today on behalf of Oregon Voices. I am writing to express serious concern over the proposed changes in requirements for guides and outfitters. As someone who has spent the last six years working with people who have committed crimes, have then done their time, and are now seeking to rebuild their lives in responsible and productive ways, I am a supporter of the movement to ban the box on job applications in general. Nevertheless I recognize that a prospective employer has a legitimate interest in knowing about some crimes that an applicant may have committed. Certainly a bank has an abiding and significant interest in knowing if an applicant has been convicted of embezzlement, just as a landlord may have a solid reason to know if a potential renter has been convicted of arson.

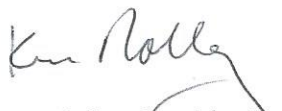
The prohibitions set forth in HB 3498, however, are not defensible in these terms. While it is easy to understand that some violent persons should be excluded from work of this kind, it seems to make little sense on the face of it to mandate blanket exclusion of everyone convicted of murder or a sex offense, since those two categories have lower recidivism rates than any other category of crime.

The prohibition makes even less sense when one considers only the exclusion of persons on the sex offender registry. I wrote to you yesterday to praise a bill that incorporated the levels established by HB 2549 in 2013. I urged the committee not to continue to pass bills through this committee that do not take those levels into account. When used in the context of this bill, the category of the entire sex offender registry is simply too broad and indiscriminate to have any defensible merit in judging a person's fitness to serve as an outfitter or guide.

Consider—the clients of guides and outfitters are overwhelmingly adult and male, hardly the preferred targets even of predatory sex offenders. Now someone will say “sometimes there will be children in the party the guide is serving.” True, but those children will be accompanied, not only by adults, but very often by armed adults. Indeed, in many cases the children themselves will be armed as well.

If this bill is allowed to go forward as it stands, it will be very difficult to think of any job that could not be placed off limits to such a vast and widely varied group as those who are lumped together under the label of “sex offender.” I urge you not to send this bill forward, and certainly not in its present form.

Sincerely,


Ken Nolley, President
Oregon Voices