



Testimony in Support of House Bill 2355
House Committee on Judiciary

Speaker of the House Tina Kotek
March 6, 2017

Thank you for the opportunity to testify this afternoon in support of House Bill 2355.

Too many people of color in Oregon live with persistent stress and fear about negative interactions with law enforcement. When communities perceive they are being treated unfairly, it erodes trust between the public and law enforcement and makes it harder for law enforcement to do their jobs and work to keep the public safe.

In 2015, Oregon made a commitment to ensure fair and effective policing practices by passing House Bill 2002, which both prohibited the use of profiling by law enforcement based on factors unrelated to conduct and convened a task force to consider how to fulfill the intent of this new law in every community in Oregon.

The Task Force on Law Enforcement Profiling, led by Attorney General Ellen Rosenblum and comprised of public safety and community representatives, worked tirelessly for over a year and a half to bring forth legislation that would continue moving our state in the direction of fairness and justice. It has been a remarkable example of what we can accomplish when we convene the right group of people to strategize around the big issues facing our state.

The bill before you today is an incredibly important piece of legislation. House Bill 2355 represents the next step of Oregon's journey to reduce disparities in our public safety system experienced by people of color in our state. The legislation codifies a set of best practices to ensure fair policing in Oregon through training, accountability, and transparency. The bill also takes a significant step forward in establishing smarter sentencing for low-level drug offenses. This bill will make Oregon a leader in public safety reform, and I encourage you to embrace it wholeheartedly and move it to Ways and Means as quickly as possible for budget consideration. Despite our current budget challenges, we should prioritize House Bill 2355 and get it done.

Expanded Law Enforcement Training and Data Collection

We owe it to our hard-working law enforcement officers to be sure they have the tools and resources they need to do their jobs well. Over the past decade, trainings have improved to better equip officers with the skills necessary to prevent profiling, including developing a conscious awareness of implicit bias and strengthening general skills in cultural competency.

Currently, only about one third of our law enforcement personnel have received these critical trainings. House Bill 2355 would require all law enforcement officers to receive training in implicit bias, as well as cognitive and practical skills to reduce the risk of profiling. These trainings will occur both in the academy and via continuing in-service trainings extending through an officer's entire law enforcement career.

Data Collection

Inequities exist in our society, and our criminal justice system is not immune to disparate impacts. The lack of concrete data makes it impossible to understand fully the extent of the problem and craft responsive remedies. House Bill 2355 will give the state critical data for identifying patterns and practices of profiling. The Oregon Department of Public Safety Standards and Training (DPSST) will provide technical guidance to any law enforcement agency who is identified as exhibiting a pattern of profiling. This kind of transparency and accountability is a crucial step in the right direction.

Drug Sentencing Reform

Felony sentences come with a host of collateral consequences – including losing access to housing, employment, and eligibility for critical services. These sentences work against people struggling with addiction and disproportionately impact communities of color. Felony drug possession charges are widely recognized as one of the driving factors contributing to the mass incarceration and disenfranchisement of communities of color. Federal public health surveys show little variation in illicit substance use across race and ethnicity. Yet, in 2015, African-Americans in Oregon were convicted of felony drug possession at more than double the rate of whites. For Native Americans, the conviction rate for felony drug possession was five times that of whites.¹ House Bill 2355 addresses these issues by changing the sentence for possession of user-quantity amounts of drugs from a felony to a misdemeanor.

Thank you and I strongly encourage your “do pass” support of House Bill 2355.

¹ “Racial, ethnic disparities emerge in Oregon's conviction rate for drug possession”. *The Oregonian*. December 14, 2016. Retrieved from http://www.oregonlive.com/politics/index.ssf/2016/12/stark_racial_disparities_emerg.html