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Good afternoon Chair Barker, Vice Chair Williamson, Vice Chair Jennifer Williamson and other committee members. My name is Jo Ann Hardesty, and I am the President of the NAACP Portland Branch. I appreciate the opportunity to testify today in support of HB 2355.

I want to take this opportunity to thank Attorney General Ellen Rosebaum and Kayse Jama for their work over the last two years as part of the Profiling task force. HB 2355 is a reasonable next step to address the need to have policing in this state that is consistent regardless of where a person may live.

Since 1843 Oregon has passed laws that excluded blacks from living and thriving within the Oregon territory. I've attached a timeline of this activity and it doesn't speak well of our history. I've attached it because today we don't have laws that exclude Blacks from the state yet we continue to experience a criminal justice system where black and brown people are over represented and treated more harshly every step of the criminal justice system. It is in fact as if an unjust justice system is built into the DNA of our state. If you just look at the outcomes of our system of justice, you must ask why? Why has this been allowed so long? Why is justice different based on the part of the state you live in and the color of your skin? Because we are unable to answer this question today it is vital that HB 2355 be enacted into law now. It is my hope that over the next few years we will have the political will and the data to make our criminal justice system the envy of the rest of the country. It is my hope that as legislative leaders you push through the discomfort of talking about race. I know how hard that is for Oregonians, but as our leader's I and the rest of the state need you to ask the hard questions and confront the injustices that are built into our system.

HB 2355 would achieve two significant achievements at one time. First it would collect data on stops, who gets stopped, why and the outcomes of those stops. An important tool to logically make changes in our system of justice so that it is fair for all. This is vital because today we continue to talk about the intent of the officers involved rather than the outcome on community members who are experiencing enhanced police intervention and suffering the

consequences of the same. The second vital piece of this bill is to lower from felony to misdemeanor drug crimes which are treated differently based on the race and the economic position of the persons being stopped. Lowering the severity of the crime means that young people of color, who use drugs at the same rate as whites won't have their futures destroyed by having a felony conviction that can't be removed from their record and that limits their future forever.

We live in the Pacific Northwest where politeness is valued beyond anything. Talking about unequitable criminal justice outcomes makes people uncomfortable, yet for the people subjected to an unjust justice system suffer more than discomfort, they, their community and their families are forced to live a life that is limited for

As you may know I'm from Portland, and communities of color have had different experiences with policing than the white population in the 27 years I've lived in Portland. Even though we collect stop data in Portland it hasn't led to equal justice. Since Feb 2nd the Portland Tribune has been publishing weekly their review of court records in Multnomah County and the disparate charging, convictions, fines are heartbreaking. While the articles don't address intent it clearly lays out outcomes including but not limited to:

- Littering fines for African Americans are nearly double
- Transit fines are nearly double for African Americans
- Latinos are twice as likely to be charged with minor cocaine related offenses
- Latinos and African Americans pay higher median fines than whites-at a cost of almost \$2 Million more per year
- African American's are nearly six times more likely to be ticketed for offenses involving police than whites
- Latino's are six times more likely to be charged with a crime involving a driver's licenses

I could go on and on but what I hope I've displayed is that the problems in our criminal justice system isn't limited to the role police play but is embedded in every segment of our criminal justice system. Passing HB 2355 sends a strong message that we have the political will in the state of Oregon to tackle this systemic issue and we will use every tool available to us to make sure that justice isn't a buzz word but something that all Oregonians can expect and our elected leaders are committed to making that a reality.

I believe that collecting, analysis and recommending reforms are critical to a mutually beneficial police force who serves all members of the community equally.

The urgency of this bill has been amplified from the actions currently being taken at the national level.

On behalf of all Oregonians, thank you for your actions on behalf of justice!

Sincerely,
Jo Ann Hardesty, President
NAACP Portland Branch

P.s. Later this session you will be asked to consider SB496. Oregon is only one of two states that doesn't record grand jury testimony. It is way pass time for us to pass this legislation. I encourage your yes vote when this bill comes to your committee

Race and justice in Oregon: A timeline

- 1843** Oregon's territorial government bans black immigrants, then outlaws slavery a few months later.
- 1844** The territorial government enacts corporal punishment for black residents who remain in the state, up to 39 lashes on the back, to be enforced by the justice of the peace. It's soon amended. Instead, the government "will publicly hire out such free negro or mulatto to the lowest bidder."
- 1857** Voters approve Oregon Constitution, which continues the prohibition against slavery, and an exclusion of black residents.
- 1859** Oregon gains statehood: the only state admitted into the union with a black exclusion clause in its constitution.
- 1862** A year after the outbreak of the Civil War, the Oregon Legislature passes a law requiring a \$5 poll tax from every "Negro, Chinaman, Hawaiian and Mulatto" who refuses to leave the state. Sheriffs are tapped to enforce it.
- 1870** Oregon fails to ratify the 15th Amendment of the U.S. Constitution, which granted black men the right to vote. But the state Supreme Court affirms the right of black residents to vote in Oregon.
- 1883** During a depression, a mob of white men in La Grande, many of them jobless, burns down the local Chinatown and runs its residents out of the city.
- 1902** Alonzo Tucker, an African-American man, is lynched in Coos Bay. The Oregon Journal writes: "All the pleading in the world would not have saved him from the death he so thoroughly deserved."
- 1915** "Birth of a Nation," a film glorifying the Ku Klux Klan, debuts in Portland. The Oregonian calls the film a "superb achievement."
- 1922-1923** Black men are abducted and threatened with lynching in mock lynchings in Medford, Jacksonville and Oregon City.
- 1924** An Alabama businessman moves to Grants Pass with his three black servants. The Southern Oregon Spokesman writes a front-page editorial headlined, "Let's keep Grants a White Man's town."
- 1924** Timothy Pettis, a black man, is murdered and castrated in Coos Bay.
- 1945** A Senate bill would make it a misdemeanor for any Oregon business to refuse service to members of racial or religious minorities. It dies.
- 1945** The City Club of Portland holds a public hearing on race and crime. Records show black residents are arrested at much higher rates than whites on many charges. The police chief says it's because black people commit more crimes.
- 1959** Eighty-nine years after three-fourths of the states ratified the 15th Amendment giving African Americans the right to vote, Oregon joins the list, the fifth to the last state to do so.
- 1982** A city of Portland study on black residents and the criminal justice system finds black people are less often let off with a citation and more often taken into custody by Portland police.
- 1985** Lloyd Stevenson, an African-American man and former U.S. Marine, is choked to death by a Portland police officer after being mistaken for a robber. On the day of his funeral, two white officers sell T-shirts to fellow cops showing a smoking handgun and the slogan "Don't Choke 'Em, Smoke 'Em."
- 1992** The Oregon Supreme Court appoints the task force on Racial and Ethnic Issues in the Judicial System. Three years later, the task force's Implementation Committee largely fails to push through legislation focused on racial bias training and data collection.
- 1997** The Oregon Supreme Court appoints the Access to Justice for All Committee to carry on the work of the implementation committee.
- 2001** Rep. Vicki Walker, D-Eugene, proposes a requirement that police record data on all traffic stops. After pushback by police, the data collection is made voluntary.
- 2010** A Portland police officer fatally shoots Aaron Campbell, an unarmed black man, after a lengthy standoff.
- 2015** The Oregon Legislature passes a bill requiring police and prosecutors to maintain anti-racial profiling policies and a complaint process, but falls short of the original intent.
- 2016** Multnomah County publishes a report showing racial disparities from arrest to imprisonment, including the same trends highlighted in 1982. The Oregon Supreme Court appoints a Council on Fairness and Inclusion to carry on the work of the committees of the 1990s.

Shooting report praises school officer

Strengths, weaknesses found in response to 2014 tragedy

By JIM REDDEN
The Tribune

The tragic 2014 shooting at Reynolds High School could have been much worse without the quick response of two School Resource Officers.

According to a recently-released analysis, prepared by the Multnomah County Office of Emergency Management, the two School Resource Officers were on campus the morning of June 17 that was when 15-year-old Jared Padgett shot and killed 14-year-old student Emilio Hoffman and wounded PE teacher Todd Rispler in the locker room in the gymnasium building.

The SROs immediately ran to the gymnasium where, the report says, approximately 90 students were gathered just a few doors away from the shooting scene at the start of the school day. Padgett was prepared to do more harm in addition to the rifle, he brought a pistol, nine ammunition magazines and a large knife to school. Three minutes after the initial shots were

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