

OREGON TRIAL LAWYERS ASSOCIATION

319 SW Washington Street, #607

Portland, OR 97204

www.oregontriallawyers.org

503-799-1017

Testimony of Arthur Towers

In Support of Senate Bill 500

Senate Committee on Environment & Natural Resources

March 22, 2017

Thank you very much for the opportunity to testify in support of SB 500. Senate Bill 500 removes a ridiculously rigid barrier to justice for poisoned Oregonians.

Our members fight for public safety in a variety of areas. We work on highway safety, workplace safety, recreational and playground safety, safe medical and long-term care, or in this case, environmental safety.

Our members see first-hand the damage and lifelong trauma that families experience when a loved one is seriously injured or killed or if the family's home, property or livelihood is destroyed by someone else's negligence.

Too often, our members are the ones who have to explain to the family in crisis, that, "Yes, you have been injured. Yes, it is clear who hurt you. But the law is rigged against you so you don't have the right to ask a jury to adequately compensate you for your loss."

We don't believe that every injured Oregonian deserves a right to be compensated, but we deeply believe that every Oregonian deserves to have their day in court. That is a cornerstone of a democratic society – a jury of ordinary citizens can come together, hear all the facts of a case from both sides, and set the community standard of justice given the facts of an individual case.

The current system prohibits Oregonians from exercising their democratic right to a jury trial if they properly file a Report of Loss with the Department of Agriculture 61 days (or more) after the impact of the pesticide is discovered.

SB 500 simply gives poisoned Oregonians a reasonable chance to make their case. Nothing more, nothing less. We urge a YES vote on SB 500.