



Public Testimony Supporting Senate Bill 505

Co-chairs Winters and Stark and members of the Joint Ways and Means Subcommittee on Public Safety:

Our state has made great progress on criminal justice issues, particularly implementing sensible marijuana law reform, helping lead the nation in many areas. However, we can do better. One of our next steps should be to pass Senate Bill 505 and add greater transparency, fairness and accountability to our criminal justice system.

Senate Bill 505 is a common sense approach that will bring Oregon in line with the vast majority of states that allow recordings of grand jury proceedings. This bill strikes the right balance of providing important information to those accused and protecting the rights of alleged victims.

Is it simply unfair to those indicted under grand juries, deemed to be innocent until proven guilty in a court of law, to deny them pertinent information that could assist in their defense, particularly when the information is available to the prosecution. Witnesses could change their accounts from their grand jury testimony, a very important development in any criminal case, but the accused would never know it without the passage of SB 505. While the information gathered in grand juries could help defendants better prepare their defense, it also can assist them in choosing to enter plea bargain agreements with knowledge of how strong the prosecution's case is against them.

By providing greater transparency in court proceedings, SB 505 can help restore many Oregonian's faith in our criminal justice system. Secrecy breeds uncertainty and contempt. Too often, ordinary people feel like there are two court systems, one for the rich and one for the poor, with people of color experiencing the worst treatment. By keeping grand jury records secret, save for unreliable handwritten notes, Oregon is unnecessarily feeding into the growing sense that our laws are different depending on the size of your bank account or the color of your skin. Sunlight is the best disinfectant and our court proceedings should be brought into the light as much as possible.

Prosecutors wield an enormous amount of power in our criminal justice system and they need to be accountable. Oregon's citizens deserve to have as much knowledge about powerful officials as possible. Keeping grand jury proceedings secret deprive Oregonians of important knowledge about how prosecutors carry out an important aspect of their jobs, a crucial piece of information that our citizens should have, especially when it comes time to cast votes for district attorneys.

Oregon needs to continue to push for best practices in our criminal justice system and not lag behind other states. We need to help lead the way and SB 505 will continue our progress towards implementing best practices in court proceedings. Relying upon hand written notes from grand jurors is clearly not the best practice to determine grand jury testimony. It is time that Oregon joins the vast majority of states that allow for greater accuracy in knowing the details of grand jury proceedings.

Respectfully,

Anthony Johnson
Director, New Approach Oregon