



# METROPOLITAN PUBLIC DEFENDER MULTNOMAH COUNTY SECTION

February 8, 2018

Community Law Oregon of Metropolitan Public Defender Testimony on HB 1543 (-13)

Senator Floyd Prozanski, Chair  
Senate Committee on Judiciary  
Oregon State Capitol  
Salem, OR 97301

Dear Chair and Committee Members:

Thank you for the opportunity to testify in support of HB 1543 (-13).

Community Law Oregon, an office of Metropolitan Public Defender, provides wrap-around legal services to remove barriers to housing, employment and long-term stability. Community Law includes an immigration project, a veteran's project, medical-legal partnerships and much more.

We strongly encourage your support and approval of HB 1543 (-13). Over the last few legislative sessions the legislature has re-calibrated Oregon's drug possession laws. All possession convictions are now eligible to be set aside, regardless of whether the drug was schedule 1 or schedule 2. Most possession crimes are now misdemeanors, regardless of whether the drug was schedule 1 or schedule 2. But there is still a single place in the law where the distinction matters: misdemeanor treatment. A conviction for methamphetamine (in schedule 2) may be reduced to a misdemeanor, but a conviction for possession of mushrooms or acid (in schedule 1) will forever be a felony on a person's record. This was not an intentional decision to punish mushrooms more harshly than methamphetamine. It is merely an accident of recent history that requires a simple fix.

Under this amendment, the individual has an incentive to reduce their conviction—they must successfully complete probation. This gives the individual an opportunity to demonstrate to the court they have done well, and will continue to build upon their hard work and move forward with their life. Considering the numerous barriers to financial independence, employment opportunities, and housing a convicted felon faces, we strongly believe reducing these convictions to misdemeanors is in the best interest of Oregon families and the public.

In conclusion, we ask that the Subcommittee support SB 1543 (-13).

Sincerely,

Alex Bassos  
Director  
Community Law Oregon  
Metropolitan Public Defender