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Testimony of Arthur Towers
In Support of
House Bill 4008-A
Senate Committee on Judiciary
February 23, 2018

Thank you for the opportunity to testify in support of HB 4008. This bill improves the quality of the information provided to Oregon juries. The bill also eliminates one of the by-products of pay inequity in our society.

OTLA members fight for the rights of people who are seriously injured and cannot return to their jobs because of a drunk driver, a defective product, exposure to toxic chemicals, or other life-altering injuries. We fight for underdogs. We appreciate many members of this committee who fight for these same underdogs in the capitol.

These Oregonians who are injured due to others' negligence can receive compensation for economic damages. This includes lost wages, medical bills, property damage, etc. They can also receive compensation for non-economic damages. These are fundamentally about the change in quality of life. A jury determines how much someone should be compensated for a life in a wheelchair, or the loss of a limb or sexual function, or the lifelong impact of child abuse or sexual abuse.

In rare occasions, a jury may find that an award for punitive damages is merited. However, nearly all of the punitive damages to punish the wrongdoer for extremely egregious behavior go to the government – either in the form of funding for the judicial system or in the form of taxes.

This bill zeroes in on one important problem: evidentiary rules that allow juries to consider pay disparities due to race or ethnicity. HB 4008 ends this practice.

We strongly urge a YES vote on HB 4008.