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March 14, 2019

Dear Senate Judiciary Committee,

Thank so much for your thoughtful consideration of SB 577, the Hate Crimes Task Force Bill.

It has been a privilege to serve on this task force with so many talented and thoughtful individuals. It was even a greater privilege to participate in one of the statewide listening sessions, and hear how people in our community had been directly impacted by discrimination and hate.

As a member of Oregon Criminal Defense Lawyers Association and a public defender, I know that the people charged today with a crime may be the people who are the victims of a crime tomorrow, or the day after that. It is for this reason that I think it is so critically important that we carefully evaluate any new legislation that is proposed that has the possibility to impact our communities in substantial ways.

Several specific points I want to mention. First, the task force spent a good deal of time discussing how to categorize intimidation. I support the revision to the statute that clearly places behavior that includes inflicting physical injury or threatened physical injury as a felony, with lesser behavior as a misdemeanor. The current statute's focus on the number of people involved for the categorization of the crime was not particularly clear, was not logical, and is better addressed by other statutes on the books.

Second, I believe, like our attorney general has mentioned, that examining how we collect data and how we conduct training with our law enforcement partners is an important step. I would urge the legislature to continue to support such efforts.

Finally, I support the addition of gender identity as a protected class under the statute, but with an important caveat – OCDLA does not believe that such an addition would be intended to sweep up a broader category of persons charged with domestic violence, as the two categories address fundamentally different issues and concerns.

Thank you for your careful attention to this legislation, and for your efforts to create a more clear and cohesive statute.

Sincerely,

Brook Reinhard
Executive Director, Public Defender Services of Lane County