

April 24, 2019

The Honorable Floyd Prozanski, Chair  
Senate Judiciary Committee Members

Re: Testimony in Support of House Bill 2392

Dear Chair Prozanski and Members of the Committee,

On behalf of the Oregon Justice Resource Center, we respectfully request your support for HB 2392.

The Oregon Justice Resource Center (OJRC) is a public interest law firm that represents justice-involved individuals, and advocates for criminal justice reform in Oregon. We operate and administer several distinct projects that provide legal assistance to Oregonians who would otherwise not have access to legal services.

We have the privilege of co-directing the OJRC's Immigrant Rights Project. The primary goal of the Immigrant Rights Project is to ensure that noncitizen criminal defendants receive proper advice regarding the immigration consequences of the possible dispositions of their criminal cases. We also seek to ensure that noncitizens' rights are protected, and that they are afforded the same opportunities provided to citizens within the criminal justice system.

Unless legally relevant, noncitizen defendants should not be forced to disclose their immigration status – especially in open court. Being forced to announce their immigration status in open court can lead to prejudice in their cases and mistreatment by others in the courtroom. Noncitizen victims and witnesses are also often reluctant to come to court for fear that their immigration status will be made public. Noncitizens should be allowed to decide whether, and how, to inform the court of their immigration situation after consultation with their attorneys. The intent of this bill is not to prevent immigration status from being introduced as evidence, if legally relevant. Rather, the intent of this bill is to foreclose irrelevant public disclosure of immigration status in situations that would only serve to prejudice the noncitizen and compromise the integrity of our justice system.

We urge you to support HB 2392.

Sincerely,



Joseph Justin Rollin  
Attorney and Project Co-Director  
Immigrant Rights Project  
Oregon Justice Resource Center



Erin L. McKee  
Attorney and Project Co-Director  
Immigrant Rights Project  
Oregon Justice Resource Center