



February 03, 2020

Chair and Members of the Committee:

I am writing on behalf of the Urban League of Portland to respectfully urge your support for HB 4004. The Urban League of Portland is a nonprofit civil rights, direct service, and advocacy organization that serves all of Oregon and SW Washington. Our mission is to empower African American and other Oregonians to achieve equality in education, employment, and economic security.

The Urban League is also a founding member of the Fair Shot For All Coalition. Fair Shot members are united in the belief that our economy does not work for many of us-- women, people of color, LGBTQIA+ communities, immigrants, and working families-- who also call Oregon home. The coalition supports House Bill 4004, which will make sure that all Oregonians have access to quality legal representation.

As stated in the Six Amendment Center's 2019 report, Oregonians' constitutional right to a fair trial is degraded by the state of our public defender system. Burdensome caseloads and compensation based on flat fees per case (rather than hourly rates, as most attorneys are compensated) result in a statewide failure to provide fair, focused representation to the accused. Instead, attorneys are incentivized to quickly churn them through the court system so that they can take on the next paying case.

The implications of this are all the more troubling when you consider the racist practices and history of our legal system. According to an analysis of racial and ethnic disparities in Multnomah County's court system:

- For every 1,000 Black Oregonians whose cases are prosecuted, 750 receive court-appointed attorneys.
- Black Oregonians are 4.1 times more likely than white Oregonians to have a case accepted for prosecution.
- Black Oregonians are 4.2 times more likely than white Oregonians to be referred to the District Attorney's Office for a case review. We are also less likely to receive a citation in lieu of arrest.
- Though we are just 7% of the local population, Black Oregonians are six times more likely than white Oregonians to be in jail in Multnomah County.

Black Oregonians are disproportionately impacted by the state's failure to adequately fund the public defender system. These inequities start with racial profiling and other biases in our law enforcement system that bring people to court in the first place, and are compounded by the unjust way by which we fund the defense system. All of these small practices add up to the over-representation of people of color in our jails and prisons. This legislative session, state leaders have the opportunity to address a piece of that.

These previous data points equate directly to the need for culturally specific language. Without appropriate language, Black Oregonians will continue to fall through the cracks; this needs to be addressed. We look forward to the chance to work with ODPS to create policies and training models that focus on providing curriculum for cultural responsiveness as well as trauma-informed practices.

Oregon must live up to the standard of fairness and justice that our constitution requires. We must fortify one of the few checks and balances that exists between low-income Oregonians and a legal system that too often uses them as a resource.

We urge you to vote yes on this bill.

Sincerely,

Darren Harold-Golden
Policy Specialist | Urban League of Portland