



AFSCME Support for HB 4212 Section 6

June 25, 2020

Dear Co-Chairs Courtney and Kotek, and members of the committee,

Thank you for the opportunity to provide testimony in support of HB 4212 section 6 on the criminal court provisions that with the proposed amendments will provide a timeline to ensure people accused of a crime are not indefinitely detained pre-trial.

The public defenders represented by AFSCME Locals 2435, the OPDS Appellate Attorneys, 2805 Multnomah Defender, Inc, and 3668 Metropolitan Public Defender truly appreciate that the workgroup, and particularly Chief Justice Walters dug in to figure out a way to provide for time to ensure that a trial can be safely held while ensuring that a person cannot be held more than 240 days pre-trial, 60 days over the statutory 180 days that are in place currently. The amendments also ensure that the only people that can be held pre-trial are those charged with “person” crimes.

It will remain difficult to hold trial in a way that provides for the highest possible level of protections for all involved and it will be difficult for defendants who can be held more than 6 months pretrial in an environment that is one of the riskiest for spread of the highly contagious coronavirus. I know that nobody was totally satisfied with the decisions that were made because there is no perfect solution at this moment.

I look forward to the future conversations that will work to eliminate the cash bail system and truly remove the many barriers that we’ve created for poor, Black, Brown and other people who have been marginalized by the criminal justice system for far too long.

I urge you to adopt the amendments that provide for the flexibility the courts need during the pandemic and the protections that ensure pretrial detainment for releasable defendants is no more than 240 days.

Thank you,

Eva Rippeteau
Political Coordinator
AFSCME Council 75