

Hello and thank you for having me. My name is David Hayes. My background is as a police officer and sergeant with the Houston Police Department. During my time there, I served as a patrol officer in the 5th Ward, as well as a detective in the Missing Persons Unit, Robbery, and Homicide divisions. In 2010 I was awarded the Chief of Police Commendation for my work on the Jonathan Foster murder case.

Around the end of 2018 I had become disillusioned with law enforcement work and tendered my resignation. This was largely because I had become acutely aware of the disparate impact of the criminal justice system on both the poor and communities of color. I had resolved to change the course of my life. I was admitted to the bar in Oregon in early 2020 and went to work with the Public Defenders of Marion County shortly thereafter. I have since been enthusiastically working with the Oregon Criminal Defense Lawyers Association for meaningful criminal justice reform.

Section 22 of this bill is important because of the enormous impact that even a short stay in jail can have for poor people and people of color. For someone whose financial life is already precarious, as is true for far too many people and even more since the economic crash associated with COVID, a few days in jail can mean the loss of their employment. Nearly 40% of Americans do not have the saving to cover an unexpected \$400 expense. Suddenly losing their job can have even more dire consequences. It can set off a chain of events that can easily lead to loss of their housing, leaving them homeless. Additionally, there are some studies that suggest that even short stays in jail can have adverse consequences for the children of the incarcerated leading to a number of poor outcomes when they grow up.

There are some violent crimes, especially crimes of domestic violence, where it is good public policy to separate the accused from the alleged victim for a period of time, so jail makes sense in those cases. In the enumerated crimes in this bill though, that is not the case. These are crimes where the accused pose no threat to public safety.

As many counties have moved to cite and release since the start of COVID, we have seen that this works remarkably well for these low level misdemeanors. There is no good reason that this practice shouldn't continue post-pandemic.

Section 24 of the bills makes it such that a police officer cannot stop a vehicle for only having a single headlight, taillight, or brake light out. These are not crimes that pose a significant danger to the public safety and will likely be caught the next time the vehicle goes through inspection. These crimes are frequently used as pretext though to stop people from marginalized communities, like poor and black people so that the officer has the opportunity to snoop further into that person's affairs, to see if they can develop further reason to detain them. This has an outsized impact on already vulnerable people and any risk to public safety is mitigated when the vehicle goes through inspection. These stops are unnecessary and should be ended.

As a former police officer and current public defender, these reforms will make Oregon a safer place with fewer racial disparities. Thank you for your time.