



TESTIMONY ON HB 4089
HOUSE COMMITTEE ON LABOR AND WORKFORCE DEVELOPMENT
FEBRUARY 5, 2026

Chair Grayber, Vice Chairs Munoz and Scharf, Members of the Committee:

My name is Mae Lee Browning. I'm testifying on behalf of the Oregon Criminal Defense Lawyers Association (OCDLA). We respectfully **oppose HB 4089**.

OCDLA is cautious about legislation that creates new crimes, expands existing crimes, or increases felony exposure and sentences. Those choices have real and lasting consequences for individuals, for communities, and for an already strained criminal legal system. When the legislature considers moving conduct from a misdemeanor to a felony, we believe that step should be taken deliberately, with a full understanding of downstream impacts.

I'll only discuss our process concerns with HB 4089. I will not touch on the myriad substantive problems with the bill.

This bill did not go through a public safety workgroup process. That standing workgroup reviews and discusses criminal justice proposals. It brings together prosecutors, defense attorneys, the courts, and other public safety stakeholders to test assumptions, review language, examine unintended consequences, and explore alternatives. This process typically takes months.

HB 4089 did not receive that level of collaborative review. Without that work, we simply do not have a sufficient record to justify escalating this conduct to a felony level. We haven't combed through the language with a fine-tooth comb, which is necessary when passing new laws.

This is not a statement about the importance of addressing wage theft. It is a statement about how criminal policy should be made - carefully, transparently, and with input from all public safety stakeholders.

HB 4089 is not ready for passage. We urge the committee to decline to move this bill forward. Thank you for the opportunity to testify.

Mae Lee Browning
Legislative Director
Oregon Criminal Defense Lawyers Association¹

¹ OCDLA's 1,200 members statewide include public defense providers, private bar attorneys, investigators, experts, and law students. Our attorneys represent Oregon's children and parents in juvenile dependency proceedings, youth in juvenile delinquency proceedings, adults in criminal proceedings at the trial and the appellate level, as well as civil commitment proceedings throughout the state of Oregon.