



ADVOCATES CALL FOR ANSWERS ON HOW OREGONIANS OF COLOR WILL BE HARMED BY PROPOSED DRUG LAW CHANGES

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PORTLAND, Ore. — Advocates are calling for more investigation to be done into the impact of proposed drug law changes on Oregon communities of color. Staff with the Oregon Justice Resource Center have written to state leaders this week asking them to urge legislators to request a Racial and Ethnic Impact Statement (REIS) on House Bill 4002. The REIS would be conducted by the Criminal Justice Commission and would examine what impact HB 4002 would have on people of different races and ethnicities in Oregon’s criminal legal system if it became law.

Senate Bill 463, passed in 2013, sets out the requirements for a REIS. One legislator from each of the major parties must request that a REIS be produced. The Oregon Criminal Justice Commission would then assess how a proposed law would affect the racial and ethnic composition of the population impacted by the criminal legal system, showing whether that law would disproportionately affect certain groups. A REIS was requested and conducted for Measure 110.

To take just one example of the predicted harm of HB 4002, the Oregon Justice Resource Center’s research suggests the return to the *Boyd* standard of delivery convictions will disparately impact vulnerable communities, including communities of color. For 30 years, until the practice was overturned by the Court of Appeals, *Boyd* allowed prosecutors to win convictions for delivery of a controlled substance in certain cases where the defendant had not actually delivered the drugs to anyone. OJRC’s analysis showed that in these cases, Black people were nearly five times as likely to be convicted as white people, while Hispanic people were twice as likely as white people to be convicted. HB 4002 restores the *Boyd* standard that the Court overturned.

“Despite people of different races using drugs at roughly similar rates, the War on Drugs led disproportionately to Black and Brown people being swept up into the legal system, fueling mass incarceration,” said Bobbin Singh, Executive Director of the Oregon Justice Resource Center. “If Oregon’s leaders insist on passing this deeply flawed legislation, they should at least be honest about what it will do to Oregonians of color.”

“Serious concerns have been raised about the implementation of House Bill 4002,” said Zach Winston, Policy Director for the Oregon Justice Resource Center. “From the lack of public defenders to staff the new criminal cases that the law will create, to the recent intervention by Oregon judges about how the courts will cope, this bill will create chaos in the legal system. Returning to the failed approaches of the War on Drugs won’t solve our addiction crisis. The harm this bill will do to Black and Brown Oregonians is one of the most pressing reasons why legislators should support a REIS for HB 4002.”

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Notes to Editors: The Oregon Justice Resource Center (OJRC) is a nonprofit law firm based in Portland, Oregon serving clients around the state. OJRC’s goal is to promote civil rights and improve legal representation for communities that have often been underserved in the past: people living in poverty and people of color among them. OJRC works in collaboration with like-minded organizations to maximize our reach to serve underrepresented populations, to train future public interest lawyers, and to educate our community on issues related to civil rights and civil liberties.