

To: The Oregon Secretary of State and the Oregon Criminal Justice Commission
From: Delmar de la Torre Stone, LMSW, Executive Director, National Association of Social Workers, Oregon Chapter
Re: “Racial and Ethnic Impact Statement discussion draft” for Initiative Petition 44
Date: July 23, 2020

Dear Secretary of State Clarno, and all others whom it may concern,

I am writing on behalf of the National Association of Social Workers (NASW), the largest and most recognized membership organization of professional social workers in the world. We work to promote, develop, and protect the practice of social work and social workers. NASW also seeks to enhance the well-being of individuals, families, and communities through its work and advocacy. The Oregon Chapter of NASW has over 1,800 members.

As social workers, we see firsthand, time and time again, the consequences of Oregon’s current approach to drugs. The disparities in the current system are not just statistics to us; they are people, people whose lives, in too many cases, have been harmed by systemic racism, over-policing and a lack of resources for more humane and effective approaches to drugs and addiction.

We appreciate the work of the Oregon Criminal Justice Commission in providing a Racial and Ethnic Impact Statement on IP 44. While the draft report provides helpful data on racial disparities in drug convictions, there are other significant disparities that exist within the criminal justice system. These should also be reviewed and added to the final report. Specifically, we request that the Commission provide data on:

- **Racial disparities in arrests.**

While a person arrested may not ultimately be convicted of a crime, every encounter with law enforcement can potentially impact their life long after the arrest occurs. Arrests can show up on criminal background checks, which may prevent someone from secure housing, employment, loans, and more. An arrest can also impact one’s mental health, causing trauma that can last well beyond the incident for which they were arrested. Nationally, we know that Black people are arrested at a rate that is more than two times that of white people.¹ And for arrests made for suspicion of a crime, the rate is even higher; Black people are arrested at a rate that is 5.36 times that of white people.²

In Oregon, over 8,900 people in Oregon were arrested for drug possession last year. Having a breakdown of these arrests by race and ethnicity will reveal if the arrest disparities seen nationally also occur in Oregon, and if so, at what rate.

- **Racial disparities in pre-trial jail time, prosecution, and sentencing:**

¹ <https://www.vera.org/blog/target-2020/data-backed-outrage-police-violence-by-the-numbers>

² <https://www.vera.org/blog/target-2020/data-backed-outrage-police-violence-by-the-numbers>

Nationally, despite the fact that white people engage in drug offenses at a higher rate than Black people, Black people are incarcerated for drug offenses at a rate that is 10 times greater than that of whites.³ What does Oregon incarceration data for drug offenses show? And how long, on average, do individuals charged with drug offenses have to wait in jail before their trial? Is that amount of time the same for Black people as it is for white people? Finally, are Black and white people issued similar sentences?

Having this additional information in the final report will provide a much more comprehensive look at the full scope of racial and ethnic impacts of IP 44. We appreciate your consideration of our request.

We urge you to broaden the scope of the “Racial and Ethnic Impact Statement.” The version that appears in the voters’ pamphlet is too narrow. Yes, there are significant disparities in convictions, and those disparities are important to document, and those disparities would be reduced if Initiative Petition 44 passes. However, there are also many other disparities within the criminal justice system that are likely to also be reduced if IP44 passes. The Criminal Justice Commission should examine the disparities at every step of the process of simple drug possession cases, and how those disparities would be reduced if there were no longer such cases.

We hope you found this feedback helpful, and we are grateful for the opportunity to provide this feedback and for the work that it took to prepare the discussion draft.

Respectfully submitted,

Delmar de la Torre Stone

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³ <https://www.aclu.org/issues/racial-justice/race-and-criminal-justice>






CJC NASW Testimony

Final Audit Report

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