



## **Testimony on Draft Racial and Ethnic Impact Statement for IP 44**

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

For the record, my name is Andrew Riley, my pronouns are they and them, and I am testifying on behalf of Unite Oregon on the draft Racial and Ethnic Impact Statement that the Criminal Justice Commission has prepared on Initiative Petition 44 (IP 44). Unite Oregon is a statewide, community-based organization led by people of color, immigrants, refugees, asylees, rural residents, and working-class folks. These are the communities we organize and are rooted in. Based on that experience, while we believe this statement is well-done overall, we believe there are several areas where it should be strengthened.

First, the scope of the draft statement is too narrow. It addresses racial disparities in drug convictions, but does not address arrests, which themselves have significant direct and collateral consequences. Arrests can be costly, traumatic, and they can show up on criminal background checks, even if someone was not convicted. Last year, 8,903 people were arrested in cases where drug possession was the most serious offense; the Racial and Ethnic Impact Statement should analyze the disparities in these arrest rates, providing information on the breakdown of who is being arrested by race and ethnicity and what the disposition of these cases was.

Second, the draft statement does not address racial disparities in prosecution, sentencing, or pre-trial jail time, or other decision points where people of color face disparities. All of these subjects contribute to the disparities people of color face in the criminal justice system. The statement must address disparities in charging decisions by prosecutors, sentencing disparities (especially in light of the known disparities in sentencing generally), and pre-trial detention, including whether defendants are offered non-carceral release options such as bail and recognizance releases.

Third, the statement should point out what some of the collateral consequences of criminal records are, such as a reduced ability to get jobs, housing, student loans, professional licenses and more. People of color already experience profound disparities in access to employment, fair and affordable housing, access to credit, access to professional licensure, and it is crucial that this statement address these as part of the complex matrix of disparities our communities experience.

Finally, the statement should describe the specific impacts on immigrants and refugees. Simple drug possession arrests can result in deportations and families being torn apart, and without



addressing the impact on these communities, we cannot paint the full picture of racial and ethnic disparities in our drug treatment system.

The Criminal Justice Commission has drafted a worthy Racial and Ethnic Impact Statement on IP 44, which would be that much stronger with the revisions above. We thank the CJC and the Secretary of State's office for your work on this statement. We would be happy to answer any follow-up questions.

Respectfully submitted,

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