

HOUSE COMMITTEE ON JUDICIARY

Subcommittee 1

April 23, 1981 7:30 p.m. 350 State Capitol

MEMBERS PRESENT: Tom Mason, Chairperson
Joyce Cohen
Dick Springer

MEMBERS EXCUSED: Peter Courtney
Kip Lombard
Bill Rutherford

STAFF: Steve Griffith, Legal Counsel
Pamela Burke, Committee Assistant

WITNESSES: Rep. Gretchen Kafoury, District 13
Lawrence Gorin, Attorney, representing the American
Jewish Committee
Mike Sandmeyer, Portland Town Council
Donna Dugger, Portland Town Council
Pearl Spears Gray, Governor's Commission on Black Affairs
Peter Friedman, Nation Conference of Christians & Jews
Linda Roberts, Metropolitan Human Relations Commission
Lucious Hicks IV, National Association for Advancement
of Colored People (N.A.A.C.P.)
Walter Backstrom, Service Employees International Union, #49
Judy Knowls, A. Philip Randolph Institute
Robert Boyer, A. Philip Randolph Institute
Rex Armstrong, American Civil Liberties Union
Dominick Vetri, citizen
Frank A. Wilson, citizen
John Bradley, Multnomah County District Attorney's Office
Merris Sumrall, Oregon Women's Rights Coalition
Rudolph Westerbard, Department of Justice
Calvin Henry, Oregon Assembly for Black Affairs
Merrit Yoelin, Attorney
Steve Houser, Vocational Rehabilitation Division

MEASURES: HB 2479 - Relating to crime
HB 2702 - Relating to civil action for violence
HB 2703 - Relating to intimidation
HB 2772 - Relating to jury selection in criminal cases
HB 2798 - Relating to juries

TAPES: H-81-JUD-307, H-81-JUD-308, H-81-JUD-309 and
H-81-JUD-310

TAPE H-81-JUD-307, SIDE A

014 CHAIRPERSON MASON convened the meeting at 7:40 p.m.

HEARING

HB 2479 - Relating to crime

- 028 REP. GRETCHEEN KAFOURY, District 13, testified in favor of HB 2479. She stated that any form of prejudice, bigotry or hatred against any class of people because of their membership in that class is inappropriate.
- 055 LAWRENCE GORIN, Attorney, representing The American Jewish Committee, testified in favor of HB 2479 (Exhibit G, HB 2479).
- 136 MIKE SANDMEYER, Portland Town Council, testified in favor of HB 2479 (Exhibit H, HB 2479).
- 257 DONNA DUGGER, Portland Town Council, testified in favor of HB 2479 (Exhibit I, HB 2479). She suggested that sex also be included in this bill.
- 393 PEARL SPEARS GRAY, Governor's Commission on Black Affairs, testified in favor of HB 2479 (Exhibit J, HB 2479).

TAPE H-81-JUD-308, SIDE A

- 010 PETER FRIEDMAN, National Conference of Christians and Jews, testified in favor of HB 2479. He stated that prejudice and discrimination can destroy the social fabric.
- 024 LINDA ROBERTS, Metropolitan Human Relations Commission, testified in favor of HB 2479. HB 2479 would act as a deterrent as well as give courage to the minorities.
- 200 LUCIOUS HICKS IV, National Association for Advancement of Colored People (N.A.A.C.P.) submitted proposed amendments for HB 2479 (Exhibit K, HB 2479).
- 350 WALTER BACKSTOM, Service Employees International Union, #49, testified in favor of HB 2479 (Exhibit L, HB 2479).
- 374 JUDY KNOWLS, A. Philip Randolph Institute, testified in favor of HB 2479. She stated that it is important to keep the bill intact. Sexual intimidation should be added, but in its own separate bill.
- 450 ROBERT BOYER, A. Philip Randolph Institute, testified in favor of HB 2479. He stated that the black people need a law for protection.

TAPE H-81-JUD-307, SIDE B

- 050 REX ARMSTRONG, American Civil Liberties Union, testified on HB 2479. He stated that there is a first amendment problem. Existing penalties are enhanced because of political views of the person committing the act.
- 412 DOMINICK VETRI, citizen, testified in favor of HB 2479. He stated that sexual orientation needs to be added to protect gay people. Civil remedy provisions also need to be added.

TAPE H-81-JUD-308, SIDE B

- 114 FRANK A. WILSON, citizen, testified in favor of HB 2479 (Exhibit M, HB 2479).

TAPE H-81-JUD-309, SIDE A

- 076 JOHN BRADLEY, Multnomah County District Attorney's Office, testified on HB 2479. He reconsidered his amendments and felt that (3) (Exhibit N, HB 2479) should be changed to the amendments proposed by the N.A.A.C.P. (Exhibit K, HB 2479).
- 090 MERRIS SUMRALL, Oregon Women's Rights Coalition, testified in favor of HB 2479. She stated that sexual orientation should be included in this bill or in a bill of its own.
- 125 RUDOLPH WESTERBARD, Department of Justice, testified in favor of HB 2479. He supports John Bradley's proposed amendments (Exhibit N, HB 2479) and The N.A.A.C.P.'s proposed amendments (Exhibit K, HB 2479).
- 275 CALVIN HENRY, Oregon Assembly for Black Affairs, testified in favor of HB 2479. All forms of intimidation are present for black people; in employment, housing, social, educational and criminal justice.
- 406 MERRIT YOELIN, Attorney, testified in favor of HB 2479. He stated that the justification statute should be modified. In the case of damaging property, conspiracy isn't necessary, it can be done by one person. He suggested that in proposed amendments (Exhibit N, HB 2479), (2) (c) be deleted.

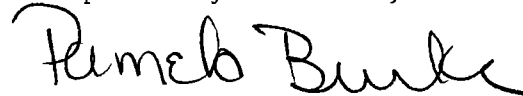
TAPE H-81-JUD-310, SIDE A

- 006 REX ARMSTRONG, American Civil Liberties Union, testified on HB 2479. He stated that if a white man kills a black man and is punished for that, you are not focusing on why it was done. He may have killed for other reasons than race. There is an equal protection problem in HB 2479.
- 290 STEVE GRIFFITH, Legal Counsel, submitted testimony in opposition of HB 2479 (Exhibit O, HB 2479) from REP. JOLIN and REP. TRAHERN; proposed amendments from REP. PRIESTLY, REP. GOLD, REP. HAMBY, REP. RIJKEN and FRANK GRUBER (Exhibit P, HB 2479) and proposed amendments from REP. SCHOON (Exhibit Q, HB 2479).

HB 2702 - Relating to civil action for violence and
HB 2703 - Relating to intimidation

- 310 STEVE HOUSER, Vocational Rehabilitation Division, testified in favor of HB 2702 and HB 2703. He stated that the word "handicapped" needs to be added to HB 2702, HB 2703, HB 2479 and HB 2772.
- 340 CHAIRPERSON MASON adjourned the meeting at 10:30 p.m.

Respectfully submitted,



Pamela Burke
Committee Assistant

TAPE LOG: H-81-JUD-307, SIDES A and B
H-81-JUD-308, SIDES A and B
H-81-JUD-309, SIDE A
H-81-JUD-310, SIDE A

EXHIBIT LOG: Exhibit G, HB 2479
Exhibit H, HB 2479
Exhibit I, HB 2479
Exhibit J, HB 2479
Exhibit K, HB 2479
Exhibit L, HB 2479
Exhibit M, HB 2479
Exhibit N, HB 2479
Exhibit O, HB 2479
Exhibit P, HB 2479
Exhibit Q, HB 2479