

**Kate Brown
Governor**



Oregon Commission on Black Affairs
"Advocating Equality and Diversity"
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MINUTES

**Oregon Commission on Black Affairs (OCBA)
Saturday, October 15, 2016, 9:00 AM-12:00 PM
Concordia University, 2811 NE Holman St.,
White Library Room 120, Portland, OR 97211**

ATTENDANCE:

Chair: James Morris (phone)
Vice Chair: Robin Morris Collin (phone)
Commissioners: Mariotta Gary-Smith, Kayse Jama, James I. Manning Jr., Musse Olol, Gwen Trice (phone), Senator Monroe, Representative Frederick
Guests: David Rogers, ED and Shelly Hunter, American Civil Liberties Union of Oregon (ACLU)
Staff: Lucy Baker

I. Meeting Called to Order – The meeting was called to order at 9:03am.

II. Review and approval of agenda

MOTION (Collin/Olol): To approve the agenda amended to conclude at 10:30 am in accommodation of high wind warnings in Portland. CARRIED.

III. Review and approval of OCBA August 2016 Meeting minutes

MOTION (Collin/Olol): To approve the August minutes as written. CARRIED.

IV. Public Comment - There was no public comment.

Commissioner Trice commented on the connection she has established with Oregon Humanities and is helping that group reach out to people of color. At a local meeting of the group, they recently had 24 diverse individuals attend. Her goal is to help the community in remote areas to engage and connect. Her community is excited about starting a regular session for discussion.

V. UNFINISHED BUSINESS

A. OCBA Commissioner recruitment

Commissioner Manning has a person who is interested in applying for the OCBA from Harrisburg. He will work with the office to connect him with Executive Appointments.

VI. NEW BUSINESS

A. **ACLU Executive Director, David Rogers**, presented on the ACLU and opened the conversation to broaden how people of color and especially African Americans are disproportionately affected by the justice system.

There are a range of issues emerging regarding the civil rights related policy issues. The theme of his presentation today:

Making the case that the present state of the criminal justice system is the largest driver of inequity among communities of color.

Main points from David's presentation include:

- There has been a dramatic rise in the incarceration among communities of color and the growth of mass incarceration in Oregon. This is a national issue.
- Mass criminalization in the US, and those involved in criminal justice, is even larger over those currently jailed. But the size of those with criminal records is many times larger.
- Criminalization as an approach to addressing social problems is better served outside the Justice system.
- Large racial disparities exist within criminalization. One in nine of all men have the likelihood of incarceration. For black men it's one in 3 and for Latinos it is one in 6.
- In Oregon, one issue is that the DOC is on the verge of reopening a prison to serve women. Sen. Monroe and Rep. Frederick both noted that they are working to avoid this.
- Mass criminalization nationally affects the economic prospects of those incarcerated, reducing their total lifetime earnings by 40%. He wishes he had figures for women but doesn't have those currently.
- Incarceration significantly affects rates of employment which especially affects people of color.
- If you are white and have been incarcerated you have a 15% chance of being called back after a job interview but only a 5 % call back rate if you are black.
- Mass incarceration affects families and kids. About 3 million kids nationally have a parent behind bars. One in 57 white kids, one in 28 Latino kids, and one in 9 black kids have a parent behind bars. If you have a parent behind bars, you are less likely to finish school, which causes a cycle of inequity.
- Incarceration has both micro and macro impacts. Whole communities are under resourced as individuals are discharged from prisons into already impoverished communities. The DOC budget has quadrupled in the last 20 years leaving less for the education and other programs that help communities thrive. Somewhat related is a macro impact is the disenfranchisement of those not allowed to vote following incarceration, which suppresses the voting power. 1 in 13 black people have lost their voting rights from their convictions nationally. Oregon has great laws protecting voter rights of formerly incarcerated individuals. But those laws are not generally understood. In Oregon, so many people with felony convictions assume they can't vote, that they don't vote, even though they could. Lots of misinformation exists around the rights and facts for formerly incarcerated people.

Drilling down to Oregon statistics on incarceration:

- African American are 2 % of the general population, but black people are incarcerated at 9% rate of the population.

The role of District Attorneys (DA's) on incarceration:

- There are other dynamics leading to incarceration with little data on the driving factors. David asked OCBA to consider taking on this on. Commissioner Jama indicated an interest in this, especially around his work with police engagement and profiling. Mr. Rogers thanked Kayse and OCBA for their interest and offered to support their efforts or collaborate on this issue.
- DA's have a large part to play in the decision to prosecute and seek prison time. Multnomah County did a deep dive into these factor in their Racial & Equity Disparities (RED) report (http://media.oregonlive.com/portland_impact/other/RRI%20Report%20Final-1.pdf) which detailed the plight of black people in the Justice system, being more than 300% more likely to be prosecuted. These decisions are largely in the hands of DA's. National research about DA's is beginning to change the national conversation. While the drug war has contributed, there has been a change in the charging rate for felonies by DA's by double digit increases for black people.
- There will be changes in the accountability of DA's and Mr. Rogers would like to return in the Spring to discuss this with the OCBA. DA's are the most powerful people in the Justice system. They decide whether to send juveniles to adult court, exercise mandatory minimum sentencing, or choose to provide drug treatment versus incarceration. ACLU has looked at the statistics on DA's. 90% are in non-contested races. DA's have little or no dynamic to listen to community. David asked the OCBA to review the DA statistics. DA's often hand-pick their successors and give them a year of assistant DA experience before they themselves retire, and then recommend their assistant DA to the Governor as their replacement, which is a Gubernatorial appointment. The ACLU has recommended to the Governor to be more intentional in appointments of County DA's. The ACLU wishes to challenge the status quo around DA's and their appointments and have provided the Governor with questions to help choose good appointments as DA's.
- David will discuss this further with the OCBA if he can return in the Spring. Until then, he has asked OCBA to weigh in with Governor Brown on the importance of her role in DA appointment. The 2016 RED report has been instrumental in raising awareness among officials, including DA's, in changing this conversation.
- The ACLU has asked the Criminal Justice Commission (CJC) if they could do a RED report for the 5 or 6 largest counties and they have responded positively but have too few staff. If another Analyst would help, the CJC might take it on. Preparing a 3-5 county RED report between the CJC and the OCBA might be possible with a joint public policy internship to pool the data and do the analysis.

Other factors:

- Lowering possession of marijuana to misdemeanor will lower the numbers African Americans in criminal involvement.
- Process to judge police misconduct is emerging in policy discussions.
- Sentencing reform must address prison growth and
- Ending Measure 57 is key to addressing the gender inequities whereby large, disproportionate numbers of women are sent to prison for "property crimes".

- New legislation: Rep Frederick noted that he has 8 bills dealing with policing and Justice that he expects to introduce in the 2017 session and several of them have support of major organizations.

The OCBA thanked David Rogers and the ACLU for his presentation and look forward to inviting him to the April meeting of the OCBA to hear updates in a number of areas.

C. Public Policy Research updates

1. OCBA/BOLI Apprenticeship to Journeyman

Chair Morris, Rep. Frederick, Lucy and Ty met with Sen. Dembrow and Steve Simms, Director of the Apprenticeship Office at BOLI. They discussed ways to increase interest by the 2017 legislature in the effectiveness of pre-apprenticeship programs and funding them. After some discussion, Sen. Dembrow suggested that the Community Colleges Association could potentially be an important partner to interest in this and for the OCBA and BOLI to partner with. They are working with legislators to establish Trades training and related funding within Community Colleges across Oregon. While there are other locations and organizations than CC's interested in pre-apprenticeship programs, they are often already working together and in support of having a funding stream in support of that work could benefit all.

MOTION (Gary-Smith/Jama): To approve OCBA's partnership with the BOLI Apprenticeship Office, the Community Colleges Association and others to work with the 2017 legislature to raise awareness about and support funding for pre-apprenticeship programs. Carried.

2. OCBA interest in partnering with OCAPIA in support of immigrant re-credentialing research internship.

Chair Morris and Lucy Baker reported on OCAPIA's public policy research project that is exploring effective ways to help immigrants and refugees with internationally earned degrees and credentials work in their fields in Oregon. Currently many with advanced degrees remain underemployed in low wage jobs because there is no pathway to using their degrees. The champions from OCAPIA that are working on this research are Chair Mari Watanabe and OCAPIA member Sen. Michael Dembrow. Chair Morris discussed the good work of the Oregon Dental Board, which has identified this issue and is allowing teaching time to count towards a dental license. Discussion followed.

MOTION (Gary-Smith/Sen. Monroe): To become a formal partner with OCAPIA in the Immigrant/Refugee Re-Credentialing research and participate in the associated discussions. Carried.

Commissioner Olol volunteered to represent the OCBA and the Somali Community in OCAPIA's next discussion among immigrant organizations about the challenges, barriers and potential solutions. Lucy will coordinate with Musse around joining that group discussion.

D. Legislative Discussion

1) Planning for the December 6th, OAC's Joint Legislative Meeting.

Lucy reported for Ty that the Joint meeting of the OAC's on December 6th will be a full agenda. The current draft includes:

- 10:30 – noon: Governor’s Policy Advisors on Education, Health and Economy and breakout group discussions
- Noon – 1 pm: Lunch and presenter on Building Equity in Public Policy, and
- 1 – 4 pm: reports on 2017 emerging legislation from State agency and community partners.

All Commissioners are encouraged to attend this Joint meeting of the OAC’s.

2) Racial Profiling update, Commissioner Jama

Commissioner Jama reported on his work with the DOJ taskforce on ending profiling. There will be several recommendations for police training and other issues that come from this taskforce for the 2017 legislature. He deeply appreciates Rep. Frederick’s work on this subject. On October 26th he expects that the policy recommendations will be released. The primary goal is to make training mandatory regarding bias, and add practices not yet in place that will increase accountability.

The Commission thanked Commissioner Jama and Rep. Frederick to their devotion and active engagement on profiling, the work of the taskforce, and development of the recommendations. It was noted that this information is also important to rural communities.

Commissioner Olol and David Rogers, ACLU, both reported that photos or videos of individuals who have engaged with police in the community and are not charged nor have done anything wrong, still have their images recorded by the police’ and are shown in public releases of police video and photos. This is problematic and has negative consequences for many within their communities which conclude incorrectly that these individuals have been apprehended for wrongdoing. David is interested in learning more about and working on this along with the OCBA.

3) Update on environmental justice/equity issues emerging for the 2017 legislative session.

Vice Chair Collin reported on the work that Portland African American Leadership Forum (PAALF) leadership has taken on regarding air quality in the Portland area. Robin noted that the OCBA leadership will be asking for meetings with leaders and will work with David Rogers (ACLU) to prepare for these meetings on civil rights issues

E. Committee and Commissioner Reports

1) OAC’s Joint Health Committee September and October report

Commissioner Gary-Smith reported on the OACs’ joint health committee with two recent presentations. Rachel Post from Central City Concern addressed the committee about the wrap around services that are available, which is important to homeless and support of jobs. There are a growing number of partners working on the issue of housing and the homeless crisis. Mariotta asked that OCBA invite them to come present in the spring on housing for immigrants and refugees. Skyrocketing costs are a huge barrier. Even “micro studios” are \$1,200 to \$1,400 per month in cost. It was a robust discussion including legislative issues that are coming up. Jerome Brooks also presented on the current housing crisis. Both presenters are willing to return.

2) OCBA partnership with Unite Oregon

In 2012, OCBA began partnering with Center for Intercultural Organizing (CIO) for legislative advocacy and other community engagement, which has been a productive

partnership for both organizations. CIO has now merged to become Unite Oregon, which is carrying on the work of advocacy, community justice and other issues of importance to OCBA. The Commission discussion followed.

MOTION (Collin/Manning): To partner with Unite Oregon for legislative, advocacy, research and other work of mutual interest. Carried.

VIII. Administrator's Report

- A. OACO budget update and September financial projections - Lucy reported on the improved financial condition of the OACO 2015-17 budget. There are projected to be \$10,000 or more available for the Commissions to target on staff development and their statutory charge before the end of the biennium on June 30, 2017. Lucy will bring a recommendation to the OCBA at their December meeting to approve increasing Ty Schwoeffermann's hours from 2.5 days per week, to 3 days per week through the end of the biennium for consideration at the OCBA December meeting.
- B. Commission interest in project management training for Nancy Kramer. Lucy recommended that the OCBA consider approving Project Management training for Nancy Kramer to the current budget which will cost \$3,700 and lead to a certificate. The cost includes travel to Willamette University for Nancy to attend. The classes run for several weeks during the Spring of 2017. Discussion followed. The OCBA approved adding Project Management training for Nancy Kramer to the 2015-17 budget by common consent.

IX. For the Good of the Order:

1. Black History Month Proclamation signing Thursday, Feb 2 @3pm
2. Next mtg Saturday, 12/3/16, Concordia U Campus, White Library, Room 120, 9am–12pm
3. Commissioner Olol requested that the OCBA December Agenda include a discussion on police photos and videos of uncharged individuals' photos appearing at the police' public access site. Senator Monroe and Rep. Frederick are interested in this and are working on it.

X. Adjourn:

The OCBA adjourned by common consent at 10:30 am.