

On May 19th of last year, I learned that I had been elected as the next District Attorney of Multnomah County against the backdrop of an unprecedented pandemic that had already rocked the country and put a freeze on most court operations. Not even a week later, police violence ended the life of George Floyd. Our nation exploded with grief and mourning, and nightly protests in Portland, like in the rest of the country, revealed the deep pain many in our community felt after living under decades of a discriminatory criminal justice system and little evidence of real change.

The protests taught us lessons we should have learned decades ago, and we fail to internalize them at our peril. The first: Black Lives Matter. Again: Black Lives Matter. Black Lives Matter. Black Lives Matter. They matter even when the movement for racial justice drifts from the daily news cycle. They matter when we're distracted. They matter when those of us with power do the hard work of making them matter. I will carry with me the values that those words represent every single day of my administration.

The second: Our criminal legal system as it is currently constituted frequently falls short of the promise of keeping us safe, and it has in many ways done the opposite. For decades, we've implemented broken policies that have destroyed communities while failing to meaningfully deter crime. Those policies, like the war on drugs, like the overuse of cash bail, like prioritizing crimes of poverty and addiction, have not only failed to reduce crime, but also pull resources away from what should be prioritized: Solving and prosecuting crimes of sexual violence, gun violence and other serious offenses, and meeting the needs of all victims, including those who do not feel safe engaging with the criminal justice system.

I know that for many people of color, calling 9-1-1 in an emergency or getting pulled over feels far more dangerous than for someone who looks like me. I know that for many victims of crime, the criminal justice system can be deeply re-traumatizing. And, I know that far too often, those with financial resources often receive far better outcomes than those without. The priorities of my administration will be guided by this principle of fairness.

And while we confront the shortcomings of our criminal legal system as we have been forced to do by a summer of reckoning unlike any we've seen in decades, the impact of the coronavirus has fallen disproportionately on our most vulnerable – the poor, the unhoused, minority communities, those without access to healthcare or steady employment. For those living on the margin, those behind on rent, struggling with debt or dealing with addiction or mental illness, coronavirus has all too often swept away what remained of any safety net. Our businesses are struggling. The coronavirus pandemic has shuttered or – for the more fortunate – slowed businesses across Multnomah County and especially in Portland's downtown corridor, resulting in unpaid checks and layoffs.

Our COVID-19 guidelines have undoubtedly saved lives, and maintained Oregon's status as one of the states with the lowest per capita rates of coronavirus infection. But social isolation, even when necessary, imposes a heavy burden on those suffering from mental illness, depression or addiction. Those who are suffering abuse from their domestic partners and family members find themselves with fewer opportunities to seek help and support. Our treatment services, non-profits and community based providers are more important than ever, even as COVID-19 has made them ever more difficult to access.

As challenging as 2020 has been, it feels only appropriate to use the occasion of this freshly dawning New Year to look ahead. I believe that the most fundamental change we must make is to restore legitimacy and trust - and in some communities, perhaps begin to build it for the first time - between our justice system and those it serves.

With that in mind, foremost among my priorities is the formation of a Conviction Integrity Unit. In recent years, Oregon has taken significant strides to protect our population from disproportionate sentencing and implicit bias in policing. But these steps do nothing for those who have already been wrongfully convicted or sentenced too harshly.

I have on my desk a clemency petition for a young man who committed an armed robbery when he was a teenager. He was sentenced under Oregon's mandatory minimum statute, Ballot Measure 11, and remanded to the Oregon Youth Authority. Since then, he's done everything right. He's completed just about every program they offer, become a fulltime mentor for other youth, acquired promising job skills, and the professionals who work with him at the Oregon Youth Authority have written heartfelt letters describing his exceptional commitment to his own rehabilitation. The problem is that his inflexible mandatory sentence requires him to spend the last few months of his term of incarceration in an adult facility, and without direct intervention from the Governor, he will. Multiple studies have shown that a juvenile who enters the adult system is immediately vulnerable to violence and pro-criminal peer pressure. By entering into the adult system, the juveniles of our community, often become more likely to commit crimes in the future. For this young man, the sentence not only fails to fit the crime, it may make us all less safe.

This is why I prioritize the formation of a Conviction Integrity Unit in the Multnomah County District Attorney's Office. While this office has done work on conviction integrity in the past, I am proposing a greatly expanded program, which will work to conduct full, open minded review of clemency petitions, petitions for resentencing, and criminal expungement matters.

I will also prioritize working with the Oregon legislature on needed statutory reforms. It is time to acknowledge that our Ballot Measure 11 - mandatory minimum sentences are simply not serving the interests of justice. A recent poll by the Oregon District Attorney's Association suggests that Oregonians overwhelmingly disapprove of a criminal justice system where it is the prosecutor, not the judge, who decides the sentence. This system has proven to be expensive, excessively punitive and frequently disproportionate in its application to communities of color. It's time to scrap this failed 1990's tough on crime era sentencing structure, and to get back to allowing judges to judge.

When I ran for this office, I pledged to redirect the limited resources of my office away from the prosecution of low level offenses associated with houselessness, addiction and mental illness and to focus instead on the prevention of violent crime and the needs of crime victims, particularly in underserved communities. That's why I support City Commissioner Jo Ann Hardesty's proposal to create the "Portland Street Response," which employ's people specially trained in de-escalation, mental health and addiction to respond to people in mental health, addiction or a housing crisis. This will lead to police having more time to respond to violent crimes – a job to which they are suited – and less time spent managing individuals in crisis who do not need a criminal justice response.

These policies will free up resources to address violent crime and Portland, like many cities across the nation, is experiencing a sharp and disturbing increase in gun violence. Incidents and injuries related to gun violence have more than doubled in the last year, a shocking statistic that should be sounding every alarm not just for my office but for our community as a whole. Even prior to the pandemic, the violence interruption programs and social services that we know work to keep the community safest had been crippled by decades of cuts and divestment. The pandemic has pushed us into crisis.

My office will prosecute violent crimes to the fullest. But this, by itself, is not an answer. We need to work together to get upstream of this violence before it happens. That means working with community partners to increase support for violence intervention programs

proven to have the strongest long-term effects on violence prevention. We will work with public health specialists, like epidemiologists and trauma experts, to both improve the support we provide to victims and to learn how our office can better implement health solutions that will stop violence before it starts.

2020 brought us many challenges, but in every challenge there is opportunity. We are in this together as a community, when we agree and when we disagree we are all impacted by the safety of our county, our neighborhoods from St. Johns to Gresham and East County and Lents to Rockwood to the West Hills – we are in this together. It is our united challenge to redefine public safety to be inclusive of every member of our community. Every single one of us deserves to feel safe.

And so, as is tradition this time of year, I would like to close with a few final resolutions.

I resolve that my office's goal will be to keep Multnomah County safe and to strengthen our communities' trust in our criminal justice system.

I resolve to focus our attention, as prosecutors, to do justice, not just seek convictions;

I resolve that we will work toward outcomes that restore and heal victims and communities;

We will work to reduce racial disparities in our system;

We will continue to identify and focus on those who do the most harm; the drivers of violent crime;

And I resolve that we will always strive for truly equal treatment under the law, without disparity or bias.

As a final note, I would like to take a moment to say thank you to all of you who pitched in, advised me, endorsed me, and have supported me in this new journey. I want to thank the professional prosecutors and staff of the Multnomah County District Attorney's Office, who have consistently impressed me with their work ethic, smarts, and their commitment to a fair and equitable system of justice. But I would particularly like to thank my wife. She has kept me focused on what matters, and kept our young family healthy and thriving not only during a pandemic, but at a time when we were promised a break from the campaign life that never materialized. Thank you to you, most of all.