

Chair Bynum, members of the Judiciary Committee.

My name is Joshua Marquis and I've been an attorney since 1981 and was elected six times as the District Attorney in Astoria. I've worked as a criminal defense attorney in Eugene and federal court and as Chief Deputy in Newport and Bend. Germane to this bill, I have served as a special prosecutor at the request of other DAs in at least a dozen other Oregon counties.

In both roles, I have been involved in reviewing, filing and sometimes trying people charged with crimes who were licensed by - among other agencies, Teachers Standards and Practices (as well as doctors, lawyers, and police officers). Equal justice under law means just that...everyone is equally accountable. But the law gives special licenses to groups like lawyers, cops, doctors....and teachers.

This bill does two very dangerous things. Although Measure 110, now law, purports to decriminalize, there are still supposedly tough laws forbidding the possession of large amounts of methamphetamine, heroin, or fentanyl. Yet this bill would gut (on line 7-8 on page 2) the ability to prevent an addict repeatedly convicted of possession of heroin from having access to children. The bill goes beyond that to essentially allow a "free pass" to people convicted even of manufacture of these addictive terrible drugs that devastate our communities.

This legislation proposes allowing the TSPC to "take into relationship of the intervening circumstances...." At a time when we are all the more reasonably concerned about who might have access to young children, the idea of categorically dispensing with a rule that disqualifies prostitutes, major drug dealers, and drug dealers in and near schools is frankly delusional.

The existing statutes and rules surrounding the TSPC give that appointed group sufficient room to allow someone who simply made a mistake, even a serious one, the ability to teach. But some crimes cross the line. Some risks are unacceptable to take with our community's most vulnerable.

Speaking from grim experience, there is often nobody when a license like this is considered – not just teachers, but lawyers, doctors, and other licensed profession – is being considered.