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**EDITORIAL: Face sentencing disparities (<http://www.registerguard.com/csp/cms/sites/web/opinion/22865608-47/story.csp>) |**

### **Proposal requires racial impact evaluations**

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Iowa has borrowed a good idea from Oregon, but that's OK — Oregon wasn't using it anyway. In 2007 the Oregon Legislature was the first in the nation to consider requiring that new or amended laws affecting criminal sentencing be evaluated to gauge their effect on racial and other minorities, but the proposal died in committee. Iowa went ahead last year and adopted a law requiring racial and ethnic impact statements. Now, having missed the opportunity to lead, Oregon can benefit from Iowa's experience and pass a similar law of its own.

It's easy to understand why Iowa would have a special interest in this issue. Two percent of Iowa's population is African-American, but 24 percent of its prison population is black — the greatest disparity in the nation. African-Americans and other minorities are over-represented in all of the nation's prisons, including Oregon's, sometimes as an inadvertent consequence of how laws are written.

Sen. Chip Shields, D-Portland, sponsored the 2007 bill and intends to revive the proposal in the February legislative session or in 2011. It would require analyses of how legislation creating new criminal penalties or altering existing ones would affect minority populations. Similar analyses would be performed for initiative measures, and would be published in the Voters' Pamphlet. Lawmakers and voters could do what they like with the information, ignoring it if they choose — but if a new law was going to disproportionately affect a minority group, people would at least know about it beforehand.

The cost would be small, and most statements would be a few paragraphs in length. It's possible, however, that such analyses would prevent Oregon from enacting such manifestly unjust laws as the federal statute that led to long sentences for people arrested with crack cocaine, most of them black, and much shorter sentences for people arrested with powdered cocaine, most of whom are white.

Many factors play into disparities in sentencing, notably poverty. But where race and other minority status is a factor, people should be aware of it — Oregonians could then consider changes in criminal law with their eyes open.

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