

Secretary: Vote explanation please. Senator Boquist

“SB 704 was a ‘yes’ vote but it requires a note in the record. The Carrier and several proponents in OLIS Testimony promote the bill will block what is known as ‘panic’ defense being used to justify a hate crime. Oregon courts and the Judiciary do not recognize ‘panic’ defense under Oregon law now. Courts have made this clear. A reasonable person would think the Oregon State Bar that supposedly oversees lawyer’s actions and ethics would ensure its members understood this fact. Apparently not. The bill’s real intent remains unclear in regards to the courts but another State Senator raised a very good point on the Senate Floor. In Oregon, we apparently have lawyers promoting ‘panic’ defense in their fee for service representation. Further, we have lawyers writing in legal textbooks that use of ‘panic’ defense as justification for a hate crime. Again, for profit lawyers writing for profit textbooks. It is unfortunate the Legislature has to pass laws to force members of the Oregon State Bar to follow the law itself while simultaneous ending the profiteering of professional legal publications promoting hate crimes. The point made on the Floor by another member merits doubling down on an existing legal court precedence simply to curtail lawyers promoting this false hate crime defense theory.”