



Hi, my name is Steve Wax. I'm 56 years old. I am the head of the Federal Public Defender Office here in Oregon and have been for 21 years.

I grew up in a community that was quite different from the communities in which most people grow up. It was a group of professionals who got together around the ideas of Frank Lloyd Wright and created an environment that was very different from the traditional suburb. It was a place that was full of ideas.

Core freedoms for me would be political, religious and not in the sense of choosing my religion but being able to choose to be religious or not. I mean, being able to think what I choose when I want without governmental interference, to be able to do what I want without governmental interference, or at least with the minimal amount of interference that is possible in a society that has to be organized with a government. The infusion of faith and religion into the political dialogue the way it has been in the last four years can have some very serious negative consequences. When values are put out to the body politic in that way, you cut off dialogue, and if you cut off dialogue you have the potential for increasing intolerance.

The Declaration of Independence has ringing words: All men are created equal. Did they mean men? Or did they mean women? Did they mean humans? Interesting questions there. But, little more than a decade later when the Constitution was written, we had the three-fifths clause in it. So from the founding of the country, while we said in the Declaration everyone's equal, we said in the written document of the Constitution, "No, they're not," and we have been struggling with that legacy ever since.

One area in which I see some threat to the freedom of assembly has been in the last several years with the Muslim community where the fears that were generated by the attacks on

September 11th have put members of the Muslim community under a microscope and have subjected them to, in many instances, you know, visits to, you know, individual homes with the FBI and other people seeking information, and surveillance at and probably attendance at mosques and other places where Muslims gather.

Whenever government starts engaging in surveillance of group activity there's a danger that the freedom to assemble will be threatened. I think that if my skin were a different color, you would probably hear me saying, from personal experience, that there are some significant problems, even here in Portland with unequal treatment of African Americans and Mexican Americans. The phrase "driving while Black" or "driving while Hispanic" comes into the common parlance because enough people feel that they have been stopped in their vehicles because of the color of their skin, not because they have committed a criminal or traffic act. The overwhelming majority of white people don't get stopped and pulled over for failing to turn on the signal 100 feet before the intersection; more Black/Hispanic people do.

In seeing how other people view my clients, it is a reminder of the importance of saying to everyone at all times, "This is a human being, and there but for the grace of God, go you and I." The line between my clients and those people who are not my clients is very thin, and what I've seen of human nature says to me that all of us have within ourselves the ability to do what my clients do. All of us have the ability to be law-abiding citizens. And that line gets pushed back and forth for a variety of reasons and in different ways at different times in a person's life.

I'm not cynical about what I do and believe more strongly today in the rule of law and the values of our country and Constitution than I did before I tried my first case, which was 32 years ago.