



**To: Members of the Senate Judiciary Committee**

**From: Chief Rich Sebens, Stayton Police Department**  
Oregon Association Chiefs of Police and the  
Oregon State Sheriffs' Association

**Date: April 16<sup>th</sup>, 2019**

**Re: Support for HB 2428 A – Public Indecency**

Chair Prozanski and members of the Senate Judiciary Committee,

For the record, my name is Rich Sebens and I am the Police Chief for the City of Stayton. I am here today on behalf of the Oregon Association Chiefs of Police and the Oregon State Sheriffs' Association to offer testimony in support of HB 2428 A-engrossed.

In 2017 we had an incident in Stayton where an adult male walked into a local Pharmacy carrying a backpack of belongings. He pulled out a bottle of personal lubricant which he put on his hand. He stood in front of the clerk and then proceeded to masturbate under his clothing all of which was on the security camera. The very uncomfortable clerk immediately called 911. When officers arrived, they arrested the adult male for Public Indecency..

Because of case law and the wording of the current law the charges were dropped. After discussing this issue with the District Attorney, I found this was not an isolated case but had been happening in other jurisdictions as well.

It was very disturbing to me that someone could walk into a store or any public place, masturbate, and as long as their genitals were not visible, they could get away with it. This type of activity would be very traumatizing for anyone, especially for young children. I can't imagine trying to explain this to my kids had they been in the store.

Thank you again for your time today and I would like to strongly request that you consider closing this loop hole in the law by supporting HB2428-A.