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**To: Members of the Senate Committee On Judiciary and
Ballot Measure 110 Implementation**

From: Jason Myers, OSSA Executive Director
On behalf of the Oregon State Sheriffs' Association and the Oregon Association Chiefs of Police
Jason@oregonsheriffs.org

Date: March 2, 2021

**Re: Testimony re SB 399 w/ Dash 1 Amendment – Crime of Interfering with a
Peace Officer**

Chair Prozanski and members of the committee,

On behalf of the Oregon State Sheriff's Association (OSSA) and the Oregon Association Chiefs of Police (OACP), thank you for the opportunity to provide testimony regarding SB 399 with the adoption of the dash 1 amendment which makes changes to the Crime of Interfering with a Peace Officer statute.

We concur with the intent of the dash 1 amendment to SB 399 but have concerns about tying arrest for interfering with a peace officer to lawful orders that are "necessary" for the officer's performance of lawful duties with regard to another person or criminal investigation. We believe the addition of the word "necessary" likely to result in litigation over what constitutes "necessity". We also want to acknowledge that there are other legislative measures under consideration during the 2021 Legislative Session that propose changes to statutes that need to be considered together in order to avoid unintended consequences. These include changes to the unlawful assembly statute and to statutes regulating the use of teargas and munitions for crowd control purposes. We are hopeful that a conversation regarding the intersection of these potential measures is possible if additional measures will be considered.

Thank you for your consideration.