



Written Testimony
Armed Conflict Location & Event Data Project (ACLED)
February 3rd, 2021

Oregon State Legislature - House Judiciary Subcommittee on Equitable Policing

Chair Bynum, Vice-Chair Noble, Members of the Committee:

Over the past year, ACLED¹ has collected real-time data on political violence and demonstration activity across the US.² Nationwide, since early 2020, the data indicate that authorities have used force — such as firing less-lethal weapons like tear gas, rubber bullets, and pepper spray or beating demonstrators with batons — in approximately 45% of all demonstrations in which they have engaged. Authorities have used force against demonstrators who participate in violent or destructive activity³ as well as peaceful protesters. When responding to violent or destructive demonstrations, authorities have used force 62% of the time. Conversely, when responding to peaceful protests, they have used force 32% of the time. Authorities are significantly more likely to use force against left-wing demonstrators or demonstrators associated with the Black Lives Matter (BLM) movement than right-wing demonstrators: 51% of all demonstrations in which they have engaged, compared to 34%, respectively.⁴

Authorities use force more often in Oregon, relative to the national trends. In Oregon, ACLED data indicate that authorities have used force in 60% of all demonstrations in which they have engaged — a significantly higher percentage than the nationwide trend. Further, authorities have used force in 67% of all peaceful protests in which they have engaged, compared to 58% of all violent or destructive demonstrations. While both of these percentages are higher than the national averages, it is particularly concerning that authorities use force against peaceful protests in Oregon even more often than against violent or destructive demonstrations.

At the end of June 2020, Oregon Governor Kate Brown “signed into law a bill that bans tear gas except in situations that police declare to be a riot and announce out loud that tear gas is imminent before deploying it” ([Willamette Week, July 2020](#)). Despite the law, ACLED has continued to record cases in which authorities have used tear gas against peaceful protesters in Oregon. In fact, since July, the rate of use of force by authorities has increased: 71% of peaceful protests in which they

¹ ACLED is a US-based 501(c)(3) non-profit organization established in 2014. Access data and more information at acleddata.com.

² See the [US Crisis Monitor](#) for more information about the project and methodology.

³ This includes violence (e.g. clashes with police), vandalism (e.g. property destruction), looting, road-blocking using barricades, or burning materials like tires, among other activities. See this [FAQ document](#) and this [methodology brief](#) for more information about coding definitions and data collection.

⁴ See more in this report on the data from [FiveThirtyEight](#), as well as this report from [The Guardian](#). For more on the original analysis and methodology, see this ACLED [report](#).

have engaged, and 59% of violent or destructive demonstrations in which they have engaged. Many of these cases are linked to federal agents, to whom the law does not apply.

For example, on July 19th, a large group of women marched in Portland in support of the BLM movement. Dozens of these women created a 'Wall of Moms' by acting as a human shield between authorities and protesters outside the Federal Courthouse, protecting demonstrators from federal officers affiliated with the Protecting American Communities Task Force (PACT). PACT agents intervened, using tear gas, pepper balls, and impact munitions against the protesters. Two journalists were reportedly hit by the projectiles despite being clearly marked as press.

In September, Portland Mayor Ted Wheeler “banned the city’s police force from using CS gas, a widely used form of tear gas, to disperse protesters” ([Oregon Public Broadcasting, September 2020](#)). Yet again, ACLED has continued to record cases where tear gas has been used against protesters in Portland. In fact, since September, the rate of use of force by authorities in Portland has also increased: 75% of peaceful protests in which they have engaged, and 53% of violent or destructive demonstrations in which they have engaged.

While the use of tear gas has largely been limited to federal agents since these state- and city-level measures, local police have continued to use other forms of force against protesters. For example, during a peaceful protest in support of the BLM movement in Portland on October 2nd, a police officer reportedly drove his motorcycle into a protester, pushing the person for a distance. On October 4th, while dozens of demonstrators marched in downtown Portland in support of the BLM movement, one protester was shot in the head by police with non-lethal ammunition. On October 10th, during a protest outside of the North Precinct of the Portland Bureau of Police, police intervened and used pepper spray without declaring an unlawful assembly.