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To: Senate Committee on Judiciary and Ballot Measure 110 Implementation; [others]

Re: I OPPOSE [HB 2936 A]... *"Systemic racism" doesn't exist in Police Departments just in Oregonian Politicians.*

Excerpt from [HB 2936 A] Amendment (-5) states, "SECTION 4. A law enforcement unit that employs police officers or reserve officers shall adopt policies that set standards for speech and expression by officers in and outside the course and scope of employment. The policies must apply to all forms of speech and expression, including but not limited to film, video, print media, public and private speech and use of Internet services including but not limited to electronic mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums and video and other file-sharing sites. **The policies may not violate the constitutional rights to free speech and expression."**

The aforementioned is objectionable for it is vague and ambiguous.

"Section 4 of Amendment (-5)" violates the constitutional rights to free speech and expression as it is written.

"Section 4 of Amendment (-5)" is subjective and can be interpreted any number of ways to fit a well tailored suit of misrepresentation and deceit by political figures and or lackeys in Civilian Review Boards.

And this is the real rub isn't it? Consider the following hypothetical.

Police Officer justly engages in a justifiable traffic stop.

Suspect A, the driver, has outstanding Bench Warrants. Police Officer quietly, using Police radio, requests back-up units for safety and traffic control. Responding units arrive on scene.

Police Officer using firmly and authoritatively speech and expressions; orders Suspect A out of the car, to turn around and place hands on the roof of the car, spread the feet and performed a routine body search for weapons.

Police Officer begins to place handcuffs on Suspect A.

Passenger B starts yelling, "You ain't placin' no handcuffs on ma baby. No, no you ain't! You not takin' ma baby and makin' him no hash-tag (#). Jus' give him da ticket and weez settle dis matter out in court. Nah, you ain't arrestin' my baby fo no damn traffic stop!"

Meanwhile a crowd begins to grow hearing Passenger B's yelling and begins video taking with their smart phones.

The crowd becomes belligerent, caustic and makes threatening gestures to Police Officers.

Suspect A is routinely taken into custody and transported to the local lockup.

Later, Passenger B and some of the crowd members on their own volitions, file a complaint against the arresting Police Officer. The matter is referred to the Mayor's Office and to a Civilian Police Board and it is determined the Police Officer violated **"Section 4 of Amendment (-5) of [HB 2936]"** and faces discipline and or termination.

Respectfully submitted
/s/ David S. Wall