![ACLU American Civil Liberties Union Oregon]

May 12th, 2021

Senate Judiciary and Ballot Measure 110 Implementation Committee
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Testimony in Support of HB 3355A, Uniform Standards

Chair Prozanski, Vice-Chair Thatcher, and members of the committee,

Thank you for the opportunity to provide testimony on behalf of the American Civil Liberties Union of Oregon (ACLU of Oregon). We are a nonpartisan, nonprofit organization dedicated to the preservation and enhancement of civil liberties and civil rights, with more than 28,415 members statewide. We are here today in support of HB 3355A, with additional amendments.

Beginning in June of 2020, our staff, along with many other activists and media, began noticing a shift in how law enforcement presented themselves in protests. What was once a common practice of displaying identification on uniforms became almost non-existent, and hundreds of protesters each night were unable to identify the officers they were interacting with, and in some cases, the officers who were using excessive force[1]. We submit for the record several photographs our Communications Associate took which outline many examples of this shift in transparency and accountability (Appendix A).

In some instances, some Portland officers had no unique identifiers on the front of their uniforms (no names, no numbers). Some officers had small slips of paper with six to eight-digit numbers – some written by hand, some printed – taped on their uniforms where their names used to be. Law enforcement officers from the MCSO remained equally opaque with names and did not use any numbers on the front. This lack of transparency is unacceptable, and we support HB 3355A so that the display of names and IDs can become standardized moving forward.

We would like to extend our thanks to both Senator Manning and Representative Bynum for their leadership on this bill and with the workgroup. We applaud the progress of this bill and encourage this committee to make a few additional amendments.

1. **We support the -A3 amendment**, which would lower the threshold for applicability to cities with populations over 60,000.
2. **Name _and_ ID Number on Uniforms.** In section 2 of the introduced version of the bill, on-duty officers working crowd management would be required to have their first

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[1]
https://www.wweek.com/news/2020/10/07/three-people-who-attended-portland-protests-say-they-recognize-the-helmet-number-of-an-officer-who-struck-a-black-homeowner/

initial and last name *and* a unique identifier (if applicable) on the front and back of their uniform, and if wearing a helmet, the unique ID affixed to the back of the helmet. The A-engrossed version before you today instead requires first initial and last name *or* a unique identifier on the front and back of a uniform. The ACLU of Oregon firmly supports moving back to requiring the first initial and last name *and* a unique identifier, if applicable [HB 3355 Introduced, Section 2 (1)(a) and (b)].

With these additional amendments, the ACLU of Oregon urges you to support HB 3355A.

Thank you,

Kelly Simon
Interim Legal Director
ACLU of Oregon

Appendix A

ACLU of Oregon
Communications Associate Photos

Below are photos I've taken since 2016 that show how officers have been identified at protests.

Portland police officers at the Justice Center on February 8, 2020

You'll see the same style of identification in photos I've taken over the years. For example, here is a photograph of Portland police officers in October 2016

In these photographs of MCSO employees I took on February 8, 2020, you can even see the velcro patch where name badges are intended to be placed (circled):

These photographs from July 13 are more representative of how Portland police officers identified themselves at protests from late June through the election.

On Wednesday, November 4, the National Guard was deployed to Portland. I observed no one from the national guard with a name badge or personally-identifiable numbers on their uniforms.