



Health Department

February 22, 2020

Senate Committee on Judiciary and Ballot Measure 110 Implementation
900 Court St. NE - Remote A
Salem, Oregon 97301

Re: SB 554 - Authorizes city, county, metropolitan service district, port operating commercial airport, school district, college or university to adopt ordinance or policy limiting or precluding affirmative defense for possession of firearms in public buildings by concealed handgun licensees

Chair Prozanski, Vice-Chair Thatcher, and members of the Committee, my name is Jessica Guernsey and I am the Public Health Director and Local Public Health Administrator for Multnomah County. Thank you for the opportunity to provide comments in support of SB 554 with a few recommendations for amendments.

While this bill expands authority for individuals assigned to protect public buildings and community members from acts of violence, it may disproportionately burden specific communities and reinforce systems of power that are rooted in white supremacy. We use a Public Health lens for violence prevention, and offer these recommendations to prevent acts of violence before they happen, rather than react to incidents after they happen.

First, Section 3(3) lists exemptions from the statute and indicates that Police Officers are not required to check in their concealed weapons in public buildings thus are “never off duty.” Giving police officers this unique exemption reinforces oppressive power dynamics in our communities. When the majority of police officers across the state are white, this exemption leads to an oppressive experience that they hold positions of power 24/7/365 over others, and therefore, are not held to the same standards and expectations as community members, thus reinforcing the idea that white people can “police” communities of color as regular citizens.

Second, Section 5(1)(h) includes the term “marijuana.” The use of the word Marijuana is rooted in white supremacy, as this term was only made common in the 1930s when an intentional, racialized prohibition on *Cannabis* was launched at the federal level. The use of the term was intentional, as it encouraged the use and consumption of cannabis

to be associated with communities of color (Mexican and Black at the time) and therefore lent a derogatory association that has perpetuated a racist ideal of communities of color and drug abuse to this day. (see any info on Harry Anslinger, the first director of the Federal Bureau of Narcotics). This term should be removed from the bill and replaced with *Cannabis* to be consistent with Oregon law.

In addition, this requirement is mentioned in Section 5 but not in the example application and declaration statement. The inconsistency is confusing and allows for variation in application, which could lead to disproportionate impact on communities of color.

Third, the definition of “Weapon,” Section 2 (10) should include explosive devices and components of explosive devices. During the recent insurgency at our nation’s capital, an overwhelming number of individuals, majority white-presenting, were not charged with concealed weapon crimes, even though they had explosive devices or components of explosive devices and likely had intention to use and harm others. Our communities of color across the nation watched these actions play out on national television, inducing the trauma of structural racism they experience each day. We need to do better for our community members and set a precedent by ensuring the law comprehensively protects all community members, no matter their race or ethnicity.

Finally, the sections regarding fee setting, required identification, and information posting at public buildings and application language should be reviewed and amended in alignment with equity.

- Jurisdictions must set fees fairly, avoiding implicit bias that may lead to higher fees for communities of color.
- Identification requirements should take into account impacts on communities of color, immigrant and refugee community members, and Trans individuals, as often they are unable to obtain identification and other documents that provide accurate information regarding their identity (and thus cannot be verified). The same can be said for those who experience housing instability, as they may be unable to provide a tax return, may not have proof of residency, or be able to provide info on the last 3 years of homes. Tribal communities and identification cards should also be considered.
- Postings on public buildings and applications should be available in multiple languages, with ADA accommodations listed to help ensure all community members have equal access to information regarding their rights and to keep all communities safer.

Policies and laws that further criminalize community members (rather than educate or provide intervention and prevention strategies to) disproportionately impact communities of color.

We are committed to community health and safety, and support this bill with the recommendations we have outlined.

Thank you,

Jessica Guernsey, MPH
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Multnomah County Health Department