

Honored Legislators,

Thank you for this opportunity to be heard on the matter of HB2002. I am a security professional with over 25 years of industry experience. I have worked in settings where I have partnered with law enforcement to keep places safe for the general public to use. We have the tools given to us through legislation that allows consequences for people's actions. When you change that legislation, no matter how well intended, you take away tools to keep places safe.

SECTION 21 restricting police ability to arrest for offenses less than a Class A misdemeanor to commission in their presence is very near sighted. You would give them the ability and trust to investigate in the moment based on a higher sentencing guideline (which is all Class A, Class B, etc.. is) but make them waste their time on lower sentencing guideline offenses. This appears backward to the purpose of the bill as it would allow less oversight and investigative scrutiny to the higher sentencing offenses and over scrutinize lower sentencing offenses. It also tells the public that we don't value or trust our law enforcement officials. That is a bad precedence coming from our legislature.

SECTION 22 restricts police to only issue citations for certain misdemeanor offenses instead of giving them the discretion of issuing a citation or taking them to jail. Again, this seems contradictory to the intent of the bill which is to give discretion to the judicial system but you don't want law enforcement to have the same discretion. Also section 22 will cause a long list of issues by doing what they call on the streets as "just issuing paper". The example of SECTION 22 subsection (g) Criminal Trespassing in the second degree under ORS 164.245 is obvious as to the problems it will cause by "just issuing paper". If an offender is trespassing on your business property and refuses to leave you would call the police. The police would arrive and ask them to leave. If the offender refuses, under HB2002, the police would issue a citation. But the person is refusing to leave. How are they removed? The police cannot remove them by any force because they cannot use force unless they arrest them. The police tell this to the business owner. Under ORS 161.225 a person is allowed to use physical force to remove someone that is trespassing on their property or their place of business. At this point it is up to the untrained citizen to physically engage the person to remove them as the police are unable by law because they can't arrest and just issue a citation. If the offender gets violent, the citizen is assaulted and injured. Now the police arrest the offender for battery and take them to jail. How do I know this? I've been the citizen in this case. Now you have an injured citizen and an offender with more charges which is counter-intuitive to the bill.

What you don't understand by passing HB2002 is you will put your citizens at risk by empowering offenders. As someone who has seen it from street level for a very long time I would tell you this bill is reckless filled with a bunch of unintended consequences to the general public. This bill should not be passed in its current form.

Thank you for your time.

Tim Harrold