

Chair Bynum, Vice-Chair Noble, Members of the House Subcommittee on Equitable Policing, I am writing to you in support of House Bill 2928, which would regulate the use of crowd-control munitions by police officers in Oregon. I am a lawyer who has spent the last five years working in the criminal justice system, including as a criminal prosecutor in several counties throughout Oregon. I am writing to you today in my capacity as a private citizen. Like many of my fellow Oregonians, I joined my community in the streets over the summer of 2020 to assert the value and importance of black lives in our community and push back on a criminal justice system that has for too long been built on violence and intimidation against marginalized communities. I was there with friends who are educators, parents, and firm believers in non-violence. We were met with overwhelming indiscriminate violence from the Portland Police Bureau in the form of the tear gassing of multiple city blocks, bullrushes, impact munitions, and retaliatory arrests. It became clear over the course of multiple months that the Portland Police Bureau had no concern for public safety, but rather was devoted to bullying and harassing protesters with every tool available to them for daring to threaten the status quo. They would regularly lay down a curtain of tear gas and then charge a large crowd of choking, blinded protesters, causing dangerous stampedes through narrow city streets. On one night they pinned the crowd between two police lines and then officers moved through the crowd tearing off their protective gear and throwing it into neighboring yards without making any arrests. When I attempted to retrieve my respirator from the ground and told an officer that I was concerned about contracting COVID without any breathing protection, he yelled "I don't fucking care!" and shoved me with his baton. When the legislature previously restricted the use of tear gas to declared riots, the PPB immediately began declaring riots shortly after arriving at any protest, and did not change their behavior at all. It has become clear that the violence is the point for them, and they will not honor the will of the legislature unless forced to. That is why I applaud the private cause of action created in this bill, and would urge this body to go as far as possible in eliminating qualified immunity for police officers. Those many law enforcement officers in Oregon who are doing good work will have nothing to fear from the elimination of qualified immunity, but those who use their badges as a shield to allow them to bully and brutalize with impunity will finally be subject to some form of accountability, since it has become clear that their promises to hold themselves accountable have been an utter failure. I know that there are good police officers; I have worked with them, and I have some in my family. But the latitude and protection that has been given to the bad ones has tarnished the entire profession, and this cycle of violence will not end until there is a path to true accountability. I urge you to do whatever is in your power to rebuild our community's trust by reining in the police forces who currently act as though they are accountable to no one.