

**COURTNEY NERON**  
**STATE REPRESENTATIVE**  
DISTRICT 26



**HOUSE OF REPRESENTATIVES**

**Testimony in Support of HB 3035**

February 13, 2023

Thank you, Chair Kropf, Vice Chair Anderson, Vice Chair Wallen and Members of the Committee,

For the record, I am Courtney Neron, State Representative for House District 26.

Thank you for hearing HB 3035, which creates a felony crime of threatening a mass injury event in an effort to cover an existing gap in the law between disorderly conduct (which only includes making false threats) and menacing (placing someone in imminent danger). The gap exists in that if an individual is making a true threat, but hasn't yet acted on it, there is no statute to cover that incident. Law enforcement should not have to get creative with what they charge someone with in order to keep our communities safe.

I introduced a version of this bill in 2020 in a slightly different form. HB 4145 in 2020 was narrow to threats pertaining to schools and places of worship. At the time, we had just had a devastating series of synagogue attacks and school shootings. Unfortunately, pervasive incidents of violence have been all too common nationwide, and as such, I have decided to reintroduce this bill with a scope wider than just schools and places of worship.

In working with stakeholders, we have taken strides in HB 3035 to:

- include a wide variety of places that could be targeted,
- protect good faith reporters,
- honor Oregon's free speech laws,
- ensure that there is robust data collection to allow ongoing evaluation of who is being prosecuted for this offense as well as who is being targeted by these threats, and
- consider juvenile justice pathways

I want to thank all who have come to the table to help refine this bill and the -1 amendments which capture the intent behind this legislation: to close a narrow gap in the law. I am aware of and respect the opposition to this concept, however I feel that this is the policy I prefer to offer for consideration. I am grateful for all the hours of stakeholder conversations and input. I have incorporated elements of a wide variety of stakeholders including defense attorneys, justice reform advocates, mental health professionals, district attorneys, police chiefs, school safety experts, and community members.

As a teacher and mother, and a legislator, safety in our schools, places of worship, businesses, healthcare facilities and public spaces is a top priority. We need to take a multifaceted approach to respond to the threats of violence targeting spaces in our communities. **This legislation is about intervening when credible threats of mass violence are made, in order to prevent attacks from being carried out, and it's about holding individuals responsible for the immense disruption and fear they create.**

The sad reality is that threats to safety make many people feel unsafe in their community, whether it is at school, or church or shopping, or at a concert or elsewhere. We have to do everything in our power to change that. **Taking credible threats of mass violence seriously and responding to them accordingly is just one small but important tool to address a larger challenge.**

Sadly, too many Oregonians have experienced the fear, alarm and terror that comes along with a threat of violence in our communities. In my district just last year, Sherwood's Middleton Elementary School was under threat for hours. Sherwood Police kept the community safe, but felt the limitations of existing statutes, as they believed the threat to be true, but the individual hadn't acted yet. The threat had a lasting impact on the sense of safety at the school and in the surrounding community. I will never forget when I visited the school a week after the incident and the teacher wanted to prop the exterior door open for some fresh air. The panic a few students showed was heartbreaking as they asked their teacher to close it so they could feel safe.

This law will ensure that an individual who threatens a mass injury event will be able to be detained appropriately and won't be able to purchase a firearm. Law enforcement will have the tools to keep the community safe.

To elaborate further on the gap in the law that we are trying to close, currently, when someone seriously threatens mass harm (for example, a threat of a shooting spree or intent to bomb in a public space), the crime is most often classified as disorderly conduct. Yet the disorderly conduct statute is only for *false* threats. Since disorderly conduct is a misdemeanor, it is my understanding that people convicted of this offense are subsequently still able to purchase firearms. Because the charge is not truly designed for these situations (*because these threats are technically supposed to be "false"*), a defendant in this case could claim that they were serious about their threat as a way to avoid prosecution.

I want to conclude by leaving you with a statistic from a Secret Service report on mass shootings. It found that prior to acting, **83% of attackers "shared verbal, written, visual, or video communications that reference their intent to carry out an attack"**.<sup>1</sup> Clearly, we need to allow law enforcement to appropriately intervene when threats like this are made. Intervention can save lives and prevent further incidents.

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<sup>1</sup> [https://www.secretservice.gov/sites/default/files/2020-04/Protecting\\_Americas\\_Schools.pdf](https://www.secretservice.gov/sites/default/files/2020-04/Protecting_Americas_Schools.pdf)

Thank you for your consideration and for the opportunity to testify today. **I urge your support for HB 3035.**

Thank you,

A handwritten signature in black ink that reads "Courtney Neron". The signature is written in a cursive, flowing style.

**Representative Courtney Neron**

House District 26

Wilsonville, including the Charbonneau district, King City, Sherwood,  
Tigard/Bull Mountain, and Parrett Mountain