

Submitter:

Joe Rowe

On Behalf Of:

Committee:

House Committee On Rules

Measure, Appointment or Topic:

SB238

I urge my lawmakers to not weaken the provisions for citizen protections. You are all aware that we have a constitutional right that keeps us free from unreasonable search and seizure. There will be dire consequences for the entire state if you weaken this. Your political careers and town halls will be constantly full of peaceful protest and reminders if you weaken these constitutional protections.

A reminder that the Oregon Constitution , article 1, section 26, gives me and every inhabitant of the state the right to assemble and instruct our lawmakers. There are no restrictions on this location in the public way. If this makes you nervous perhaps you should think about weakening laws that protect citizens against unnecessary and illegal and unconstitutional surveillance

I want to remind you that the Oregon Supreme Court upheld the right of citizens to cause alarm and disrupt when instructing their elected officials and I will quote them here.

The state versus Ausmus Supreme Court case in Oregon versus Ausmus is essential for you understand before you weekend or protections on aerial surveillance.

"As we (Oregon Supreme Court) previously have noted, a person intending to exercise a constitutionally protected right such as peaceable assembly or expression coincidently may possess an intent to cause public inconvenience, annoyance, or alarm. In fact, individuals often undertake the exercise of protected rights such as assembly or expression with the intent of causing public inconvenience, annoyance, or alarm to those, such as government leaders, who are exposed to the assembly or expression.

<https://law.justia.com/cases/oregon/supreme-court/2004/s49207.html#:~:text=As%20we%20previously,assembly%20or%20expression>