



350PDX
3625 N. Mississippi Avenue
Portland, OR 97227
350pdx.org

June 11, 2025

Re: Oppose SB 238

Dear Chair Bowman, Vice-Chairs Drazen and H. Pham, and members of the House Committee on Rules,

On behalf of 350PDX, a nonprofit that organizes thousands of members around the Portland area who are concerned about climate change, I urge you to **oppose SB 238A with the -11 amendment.**

Surveillance should not be allowed for non-criminal situations, and should not be allowed without a warrant except in the situations already allowed by law.

Along with the many other groups who are sharing in this hearing, people concerned about the existential issue of the climate crisis are being surveilled in Oregon and in other countries, even when engaging in planning and strategy meetings and lawful forms of resistance such as nonviolent demonstrations and drawing public attention to polluting companies or facilities.

The first amendment guarantees the right to freedom of speech and assembly; additionally the fourth amendment requires a warrant based on probable criminal activity for a search. Those gathering to plan or lawfully express speech should not be subject to drone or other invasive surveillance tactics. This bill, however, gives broad and vague authority to conduct surveillance and searches without requiring a warrant. This is unconstitutional and should not be considered in state law.

While we have heard the claim that SB 238 would only apply to lawful assemblies, this is less than reassuring, since law enforcement officers get to define what counts as a lawful assembly.

We know law enforcement already conducts surveillance of local climate groups, and this bill would expand this invasion of privacy. For example, many groups in the climate movement organized to oppose the proposed Jordan Cove LNG terminal in southern Oregon in the 2010s. They organized together to lawfully resist this project through education and advocacy, and journalists found that individuals and organizations had been surveilled by the Coos County sheriff's office, who then shared the information with local, state, and federal

Building the climate justice movement.



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agencies, and also with the company trying to build the pipeline.¹ In other countries, those working toward the health and sustainability of the planet are often surveilled and experience violence or death at the hands of state authorities. While environmental and climate concerned people are attempting to stop the harm done to the only livable planet available to us, policies such as SB 238 are being used to stop them from gathering, speaking, and advocating, and instead law enforcement is protecting polluting industries—industries that are responsible for millions of global deaths annually, even if we set aside climate impacts.²

Especially in this moment, where the federal administration is using ICE and attempting to federalize the national guard, and we see local law enforcement working with them in LA and other cities, it is unconscionable to even consider a bill like SB 238. We need stronger protections for Oregon residents right now. Oregon should not provide this blank check to law enforcement for surveillance of anyone they deem suspicious without requiring a warrant. This is a dangerous attack on freedom of speech and assembly. It would undoubtedly be used first against communities of color and those working toward human rights. There is no need for SB 238. I urge you to vote no on this unnecessary and harmful bill.

Dr. Cherice Bock
Climate Policy Director
350PDX

¹ <https://www.theguardian.com/us-news/2019/aug/08/fbi-oregon-anti-pipeline-jordan-cove-activists>

² An estimated 5.13 million deaths globally in 2019 due to air pollution from fossil fuels: Lelieveld J et al, "Air pollution deaths attributable to fossil fuels: observational and modelling study," *BMJ* (Nov 2023): 383:e077784, doi: 10.1136/bmj-2023-077784. <https://www.bmj.com/content/383/bmj-2023-077784>