

## Cassell Kristalyn

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**From:** craig@bybryson.com  
**Sent:** Wednesday, April 03, 2013 11:05 PM  
**To:** Sen Hass  
**Subject:** Two Bills in Your Committee

Dear Senator Haas:

Thank you for your committee's consideration of Senate Bills 215 and 501. I hope you'll agree to pass both bills out of committee and let the full Senate decide which of them is best. (SB 501 is much better because, while SB 215 eases illegal restrictions on speech, it doesn't eliminate them. I prefer SB 215 over no action, but SB 501 restores equal treatment and free speech.)

It wasn't right for the State Board of Education to overrule the vast majority of Oregonians and ban mascots for one particular race. All people must be treated equally under the law.

Moreover, all people must have free speech, not just those whose speech we like, agree with, or don't object to. As I'm sure you know, the U.S.

Supreme Court has repeatedly said speech can't be infringed just because it's unpopular, or even offensive. Except in certain cases, which don't apply here, the Supreme Court has ruled that speech can only be regulated as to time, place and manner, but not content.

That issue aside, there's no evidence to show that any Native American mascot currently in use in Oregon portrays any group or person negatively or offensively. Some proponents of the ban say some of the mascots don't portray local Indians. However, substantial documentation exists to debunk that myth.

Even if it were true that some mascots didn't portray a Native American from a local tribe, that doesn't mean those mascots don't portray the tribe of a local person. As you must be aware, many Oregonians, including one who testified fervently against the ban in a House committee hearing today, are directly descended from tribes that never lived in the Pacific Northwest.

That's the nature of society today. We are all very mobile, and many people who live locally have roots in many other places and peoples around the country and around the world. They and their heritage cannot be singled out for being ignored just because their heritage is not local.

Lastly, I was disappointed today to hear schools chief Rob Saxton claim that numbers of something like 380 for the ban and something like 340 against the ban showed "overwhelming support." This is very disingenuous and, frankly, disturbing for someone claiming a professional education background. Those numbers—his own numbers—show nothing more than what is probably a statistical dead heat. And the numbers likely are so close because they represent the views of the zealots on both sides of the issue who felt compelled to contact ODE. It's unlikely his numbers reflect the opinions of average, everyday voters.

Two separate polls, one in the Molalla area this year, and one in Washington County last year, show overwhelming opposition to the ban. One poll, by the Hillsboro Argus, was taken before the ban, and showed 86% of 548 persons opposed. The other poll, taken on behalf of my own campaign for school board, shows 89% of 144 persons opposed as of April 2, 2013.

Please support SB 501 and SB 215, and thank you for having allowed these bills to come to a hearing.

Sincerely,

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