

Date: Thursday, March 12, 2015

Dear Chair Barker and House Committee on Judiciary Members:

I'm writing to support HB 2704 as it is currently written and specifically would like to respond to suggestions from the Oregon Coalition of Chiefs & Sheriffs. Please note their suggestion that the bill should be amended to clarify that interfering with an officers lawful duties is still unlawful is moot since there is already satisfactory statutory coverage of such. There suggestion that the bill should be amended to obligate bystanders to notify officers when they are being required is invalid because the Supreme Court has already held that this type of filming is a constitutionally protected act and as such there is no need to statutorily give verbal courtesy to officers why have no expectancy of privacy when performing their duties.

If the committee is suggesting adding any of these changes proposed by the Oregon Coalition of Chiefs & Sheriffs I would implore the Committee to consult the ACLU of Oregon before making a new law that would only be ineffective and potentially void based on existing case law surrounding the constitutional right to film law enforcement.

We have seen across the country that often times officers will become combative or change their behavior when they know they are being filmed by the public. Requiring notification of filming would weaken the accountability that this constitutionally protect act brings.

Sincerely,

J. Nova