



# CITY OF PENDLETON

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**Date:** April 4, 2017

**Re:** Support for HB 2380 – Threatening a Mass Injury Event

Honorary members of the House Judiciary Committee,

I respectfully submit this letter in support of HB 2380. My support of this bill is predicated the frustrations associated with responding to, managing and/or investigation the ever-growing number of threats directed at schools, public facilities/entities and others specific to mass shooting or casualty event(s) with no current statute that appropriately addresses the act.

That said I understand one could argue the misdemeanor crime of Disorderly Conduct (ORS 166.023), which includes, but is not limited to language stating, **“...with intent to cause public inconvenience, annoyance or alarm, or knowing creating a risk thereof, the person initiates or circulates a report knowing it to be false...”** addresses such indiscretion(s). However, the problem with the Disorderly Conduct statute is the words, “knowing it to be false”, because it does not take into account real events that are thwarted by investigative intervention. I concede that prosecutorial entities have the discretion to charge more severe crime(s) as inchoate (i.e. attempt, conspire, solicit, etc.). But, inchoate crimes inherently carry lesser penalties, so there are foreseeable instances where the type of legal maneuvering needed to obtain an appropriate sentence often times creates perception(s) of favoritism or malice, which continually challenge the integrity of our criminal justice system. The biggest reason for the reference disparity is the lack of statutory language that can be uniformly applied to mass casualty threats.

Consequently, I believe having succinct statutory language designed to hold offenders accountable for pre-meditation is every bit as important as having reactive statues, which address outcomes. After all, the only real difference between the two is, the number of lives lost or significantly altered. Yet, the common denominator in both is a person or person(s) working together whom callously make a choice to adversely affect the lives of others. The proposed house bill sends a clear message that the State of Oregon considers such a choice unacceptable.

Additionally, the house bill serves as an acknowledgement that the social and fiscal cost(s) associated with responding to; investigating and/or managing said incidents are recognized and prioritized. Law enforcement does not have the luxury of dismissing threats of any kind without determining legitimacy. As lawmakers, I



would suggest that you do not enjoy the luxury of dismissing community safety issues either. Thus, I believe we owe it to those Oregonians who have already lost their lives or been injured by another as the result of a mass shooting to do as much as we can to honor their respective sacrifices while ensuring violent offenders are held accountable.

Please support HB 2380...Oregonians have already experienced far too many tragedies.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Stuart A. Roberts".

Stuart A. Roberts  
Chief of Police

