



STATEMENT RE: LC-83 **(PROHIBITIONS ON CHOKEHOLDS)**

To: Joint Committee on the First Special Session of 2020
From: Michael Selvaggio, Oregon Coalition of Police and Sheriffs
Date: June 22, 2020

Co-Chairs and Members of the Joint Committee:

For the record, my name is Michael Selvaggio, representing the Oregon Coalition of Police and Sheriffs (ORCOPS). I am speaking to LC 83, which seeks to ban chokeholds.

ORCOPS has no opposition to banning such measures on persons who pose no imminent threat. Such measures should be narrowly restricted only to the most dire of scenarios where deadly force is justified under Oregon law.

As then-Representative Lew Frederick noted:

“We arm our officers for a reason, and sometimes deadly force is not only justified, it’s necessary.” (House Floor, 2/17/2016)

When such force is necessary in order to preserve the life of another person consistent with Oregon law, uses of deadly force that restrict another’s airways should remain in an officer’s legal repertoire of deadly force alongside their service weapon. Failure to do so could put a crime victim’s or an officer’s life at risk, and may result in more reliance on firearms in the event that deadly force is justified.

Further, as written, LC 83 is so broad that “force that impedes the ability of a person to breathe” could effectively ban all forms of deadly force, including uses of deadly force by an officer using their duty issued firearm when such force is necessary and justified under the law.

We ask that LC 83 be amended to read that:

“Mechanical pressure to the neck that is applied by an officer in an effort to stop or restrict the flow of oxygen or blood to another person’s body, known as choke holds, strangle holds, or carotid restraints, are prohibited except where deadly force is permitted consistent with the law.”

ORCOPS asks for an amendment that makes this adjustment.