

Dear legislators,

I appreciate your desire to prevent further harm via chemical warfare to protesters, bystanders, neighborhood residents, and people driving by in their cars when police and other law enforcement agencies use tear gas.

However, I'm concerned that relying on the current definition of "riot" in ORS 166.015 allows for broad interpretation by the police. That definition is:

"A person commits the crime of riot if while participating with five or more other persons the person engages in tumultuous and violent conduct and thereby intentionally or recklessly creates a grave risk of causing public alarm"

We've already seen that the police have a low bar for what constitutes "public alarm", and are willing to call riot even when risk of harm is low.

In addition, putting the onus on police to allow "sufficient time" for evacuation is also of dubious impact, especially as they often give conflicting evacuation directives and begin tear gassing before that conflicting information is resolved.

To make a real and impactful change, rather than litigating over the definition of a riot and how much time is sufficient to allow for evacuation in a chaotic situation in a crowd with varying mobility abilities, I urge you to simply remove tear gas as an option from the arsenal of policing.

Thank you for your time,

-Amy