

Co-Chair Bynum, Co-Chair Manning, Members of the Joint Committee,

My name is KC Lewis. I am an attorney, a former prosecutor, and have worked for the past three years in criminal justice policy. I am testifying today as a private citizen; the views expressed are my own.

I have spent the better part of my career working with police. There are many police officers who I hold in the highest regard; indeed, some of my family members are former police officers. So I do not speak lightly when I say that the actions of the Portland Police Bureau are putting our community in danger, and we need this body to protect us before things escalate further.

I have been attending the protests in downtown Portland for over a month now. At first I went to add myself to the numbers demanding justice for George Floyd, Breonna Taylor, and the countless other black lives ended by police violence. Since then I've continued to attend as regularly I can to bear witness to the violence the police bureau has inflicted on our community and to do whatever is in my power to mitigate the damage. I wanted to share what I've seen with this committee in hopes that it might help you understand what is really happening in Portland every night.

It's important first to understand who these protesters are. They are overwhelmingly young people, in their late teens and early twenties. The leaders are largely people of color. They are not the "agitators" that the Police Bureau has attempted to paint them as to justify their actions. They are members of their community who care enough about their fellow community members to spend their evenings downtown, day in and day out, facing down violence from the people who are sworn to protect them and demanding justice. There have certainly been objects thrown by some members of the crowd, but the vast majority are simply there to have their voices heard.

The deployment of tear gas by the Portland Police has been arbitrary and indiscriminate. There is no indication of what exactly prompts them to start gassing from night to night; they simply reach a point where they decide they want the protesters to leave, so they declare a riot and start gassing. When the tear gas starts, no differentiation is made between the masses who are peacefully protesting and the few who are engaging in criminal activity. In a matter of minutes the gas fills multiple city blocks. I had never been tear gassed before the protests this month. The first time, it feels like you're dying. You can't open your eyes through the pain and you can't breathe. A friend and I grabbed onto each other and took turns opening our eyes so we could move safely away from the gas. People were coughing all around us. The people who are affected especially strongly by it fell to the ground retching, unable to keep moving to get out of the cloud. The only thing that prevented a dangerous stampede was the discipline of the protesters, who chanted "walk don't run" as they made their way out of the wall of gas.

As I struggled to escape from the gas I saw a group of people breaking out the windows of a local business as they ran. This is another thing that is important to understand about what has

been happening: all of the things that the police say that they are trying to prevent, the property damage and looting and vandalism, only happens *after* the police assault the crowd. When the protesters are massed in the park it is hard for anyone to do anything criminal without standing out from the crowd. But in the chaos that ensues when the police scatter the crowd, it is much easier for those who came downtown to cause harm to do whatever they want. And the chaos doesn't end at the Justice Center. The first night I was tear gassed the police chased the protesters halfway across downtown, from the Justice Center to Burnside, spreading chaos wherever they went. At one point I watched them shoot tear gas at retreating protesters in front of a crowded row of food carts, forcing the workers to frantically close up as the gas spread. The police are not solving these problems downtown; they are creating them.

I have also witnessed incredible acts of courage and humanity during my time with the protesters. I watched one protester escort a homeless man by the arm slowly out of the park as federal officers wielding batons closed in, risking his own safety to help someone who had no involvement with the protests. I saw a group stop after hours on their feet to help a man who was going through a mental health crisis, calling around to find an open bed for him and then giving him a ride there even though it was the middle of the night. I have seen the people who come out every night to provide free food, water, and medical supplies not just for the protesters but for the houseless community. Above all, there are the medics, who brave the tear gas and the beatings to help people they don't even know despite being repeatedly targeted by police. This is the community that the Portland Police Bureau feels so threatened by.

I was also downtown this past Saturday night. I saw a group of protesters carrying Donovan La Bella to the ambulance after federal officers shot him in the head while he was holding up a boom box. The federal police who have further escalated the violence downtown may be beyond our control, but they don't exist in a vacuum. They stepped into the atmosphere of violence, escalation, and complete lack of accountability that the Portland Police Bureau created for them. When police officers cover their names and refuse to identify themselves, that sends the message that they refuse to be held accountable. When the head of the police union says of the elected representatives of the citizens "If the City Council won't stand up for Portland, we will," that sends the message that they see themselves as above the law. Now we have armed federal officers walking the streets of Portland, beating protesters and pulling people into unmarked vans. I am terrified of what is about to happen in my city, and the Portland Police Bureau created the environment in which these things are happening.

Someone has to stop this. We are sending a message to an entire generation of young Portlanders that their voices don't matter, and that if they speak up in a way that the police don't like, they'll be beaten and gassed until they can't speak anymore. Please reconsider allowing police the sole discretion to declare a riot and determine when the use of tear gas is appropriate. You gave them a chance, and they have shown that they cannot be trusted with the responsibility.