

Greetings Co-Chairs Bynum & Manning, and Members of the Committee.

For the record, my name is Lina deMorais. Over the past 2 years I have worked as session staff in the Capitol building, most recently working as an LA2 in Senator Lew Frederick's office. Today I speak with you as a private citizen to voice my concerns about the use of tear gas by law enforcement in response to Portland protesters, as well as share my experiences while documenting the protests.

The protests in downtown Portland arose as a response to the brutal killing of George Floyd, a Black man, at the hands of police officers in Minneapolis. This horrific event became a catalyst for demonstrations across the nation by those of us seeking change within a system built around harming and criminalizing Black and Brown bodies. As a nation, we were called upon to take a stance. And we did. We came together to demand more police accountability and to say that we would not tolerate more harm being done to our BIPOC community. And while I've heard many proclaim that we should not take to the streets over something that happened states away, the truth is that the Portland Police Bureau has its own sordid history with over-policing and murdering of BIPOC.

By the thousands, protesters marched across Portland. People took the streets, walking through historically black neighborhoods where Black communities had been displaced by gentrification. And often ending their marches at Chapman Park, across from the Federal Courthouse and the Justice Center, to confront officers and voice their displeasure with their participation in an unjust system. And as if irony is completely lost on them, officers have responded nightly with a disproportionate use of force against almost entirely peaceful protesters, often times capturing in their violent tactics unsuspecting residents just trying to get home

I have gone out to the Justice Center at least twice a week since the protests started, to document the encounters. And, more specifically, to capture the inciting incidents that trigger law enforcement's use of crowd control munitions. On occasions I have even been accompanied by a forensic scientist collecting spent munitions to determine whether the PPB's updates to city leaders were consistent with what protesters are experiencing, often finding disparities among what was reported by officials and what protesters had endured.

Despite staying visibly separate from the crowd in order to capture behavior from all sides, I have had triple chaser tear gas canisters launched directly towards me, missing my face by mere inches. And I have witnessed the egregious injuries of those that were not as lucky as I was. I have found myself blinded and unable to catch my breath, thus unable to promptly comply with orders being shouted my way by a disembodied voice being projected from the same device that is equipped with sonar attack functions, finding myself being guided out of the cloud by field medics mere moments before riot officers I could not see began rushing the area I was standing in.

The use of teargas by officers has been indiscriminate, vicious, and oftentimes completely unnecessary. Triggering incidents for its use has been inconsistent. Behaviors, such as throwing of plastic water bottles, which were often used as justification for gas attacks on the crowd, have been tolerated without incident on several nights.

This inconsistency in response has driven up tensions among protesters who find themselves unable to predict when a riot line will descend upon them, as officers seem to suddenly decide that behavior that had been ongoing that night is no longer tolerated. Any psych major can tell you that when it comes to

conditioned responses and a desire to extinguish behavior, inconsistent reactions actually perpetuate the undesirable behavior.

When the restraining orders were filed by ACLU and Don't Shoot PDX, there was a brief reprieve for protesters. However, upon passage of HB4208, it was as if officers had found yet another loophole: they simply had to announce the steps they were taking, declare a riot, and the restrictions upon their use of gas had all but disappeared. I witnessed an abrupt change in language coming from the loud speakers as officers made sure to use the buzzwords included in the statute. In fact, escalations seemed to happen even quicker after that, with riots being declared within minutes of first warnings.

I believe that while well meaning, the bill did not address what seems to be an underlying issue, which is the broad authority granted to law enforcement for the declaration of a riot and the allowable responses therein. When "laser crimes" are viewed by law enforcement as arrestable offenses, when plastic water bottles hitting officers covered head to toe in riot gear is seen as justification for the deployment of crowd control munitions, and there is absolutely no one outside of the direct chain of command that has oversight over this in the moment, how do we get out of this?

The militarization of our police force is something we must address. Admiral Adama in Battlestar Galactica once said: ***"There's a reason you separate the military and the police. One fights the enemy of the state, the other serves and protects the people. When the military becomes both, then the enemies of the state tend to become the people."***

So how do we heal as a community when those who protect and serve now see the people as the enemy?

I do not have an answer for that, but I do know that now is the time to take bold action. Because nothing changes if nothing changes.

Thank you for your time.

Lina deMorais