

I am calling for an Amendment House Bill 4208. I ask that you remove the Riot exemptions for the use of tear gas or other similar chemical dispersants. Instead, make illegal the sale, purchase, or use of tear gas and all less lethal crowd control munitions in all law enforcement. Also require cooperation and consent of State and local officials for the use of any of these measures by federal law enforcement. I also call you to make other adjustments or propose other bills to address and end the oppositional tasks police are tasked to perform within our society - to both protect civil liberties AND to dismantle civil liberties. Tear gas and other crowd control measures are just one of the tools for dismantling civil liberties. We need to remove all capacity for police to dismantle civil liberties and leave in place all their capacity to protect civil liberties.

I am ok with leaving in a provision to state that the only time Tear gas is permitted is to end an active armed conflict or armed standoff with the intent to limit or eliminate the use of deadly force, but only with the cooperation and consent of state and local officials as well as the State's Attorney General. Active Armed conflict and armed standoff would have to be very specifically defined for very specific circumstances, so the policy could not be used or abused for any other circumstance.

The why:

To understand the current use of tear gas on any gathering of American citizens, regardless of peaceful protest or not, riot or not, we must look at the history of the use of violent and forceful crowd control methods in the United States.

Historically, police have used forceful and violent crowd control methods on US soil for two reasons:

1. To disrupt or silence civil rights protests.
2. To disrupt, end, or make arrests easier during actual rioting as a reaction to civil or human rights injustices - largely in communities of color responding to injustices effecting communities of color, and usually causing further unrest and further property damage.

Consistently, throughout history, Police departments in Oregon and all across America have discredited protesting for the equal human rights and civil liberties for communities of color, and for all people, as unlawful, criminal, and dangerous. The Counter Intelligence Programs that assassinated civil rights leaders and disrupted and destroyed centers of political health and mobility for people of color were orchestrated by the FBI and CIA and enacted with the support and direct involvement of Police departments. These narratives continue today, and are being used this very moment, both by the current administration and by our state police Departments. These narratives were designed to sway public opinion away from the civil rights of some in favor of the illusion of safety from a threat these narratives present - in this case the citizens of Portland, OR.

I cannot speak for how much federal and local law enforcement are working together to discredit protestors by using excessive force while simultaneously saying that they are the victims of excessive force and violence from protestors. But I can say with absolute certainty that the outcome is the same.

Police are using tear gas and less lethal weapons to assault citizens with the aim to disrupt, silence, and end protests for more equitable, and less abusive justice system.

Police are using fearful and criminalizing narratives to discredit, and thus dismantle the civil liberties of American citizens asking for the human rights and civil liberties of communities of color, and of all people, be protected.

And it is precisely because Police have been tasked with protecting our civil liberties that they are positioned so well to dismantle them with minimal risk of discrediting themselves.

Call to action:

It is time to stop asking police to Protect our civil liberties with one hand and Dismantle our civil liberties with the other hand. We MUST remove the capacity for police to work, intentionally or not, against anyone's civil liberties.

If you do not want to eliminate policing entirely, then remove the capacity for policing to engage in any activities that act counter to protecting civil liberties. Including banning tear gas and other less lethal assault munitions, here are things that will clarify Policing as a civil servant that protects civil liberties, property, and life of ALL citizens:

1. Zero Tear Gas sold, purchased, or used, in Oregon.
2. Zero less lethal munitions sold, purchase, or used in Oregon
3. Tons of paperwork for any use of force.
4. Mandatory external investigation for every draw of a firearm - active duty status may be maintained by an officer though investigations, excepting when an unnecessary use of force or excessive use of force charge is considered - even preliminary concerns.
5. No pay during wrongful death or injury investigations or while trial pending or in process.
6. Zero tolerance of escalated, agitated, or accelerated excessive force.
7. Random quarterly drug testing - truly random.

And, of course, training for those officers who are no longer sure "how they are supposed to do their job" without kicking ass and taking names. Also support for detox and required abuse counseling for officers with any history of complaints, regardless of whether they were found guilty or not. The complaints reflect a problem that was not recognized by the system and is separate from findings of innocence or guilt.

In the vast majority of police interactions with the public, an empathetic and understanding demeanor will gain cooperation, negotiation will bring resistance down, and no force will be necessary. Those instances where force is deemed necessary, it is in the public interest to ensure that it was, in fact, necessary, and it is not a burden to ensure that this is true. To do otherwise is to risk the position of policing being used to remove civil liberties through force.

Demilitarize, remove all policy paths to the obstruction of civil liberties - even for, and especially for, those being accused of crimes. It is not the place of police to be deciding who deserves civil liberties, and it is time we created policy structures that sanctified that intention.

If you want to add it sometime, one third of all police budgets should be external, legal, and civil oversight - because the rights of every citizen are more important than how bored anyone is of ensuring they did this particular job right.

Thank you for the work you are doing,

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p.s. You can tell Donald Trump to get his greedy hands, his political scapegoating, and his dirty henchmen, out of our state any day of the week. He can't own our state, just because he thinks he can. Sign that into law. Ha!