



STATEMENT RE: LC 745 (CHOKEHOLD BAN)

To: Joint Committee On Transparent Policing and Use of Force Reform
From: Michael Selvaggio, Oregon Coalition of Police and Sheriffs
Date: July 28, 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). For your consideration on LC 745, which bans chokeholds, we ask for some clarification as to the Legislative intent.

In the previous special session, the Legislature enacted a ban on chokeholds except in circumstances in which deadly force would be justified. That policy is now law.

We understand that this measure would have the effect of stating that even if deadly force is justified (including circumstances in which “the officer’s life or personal safety is endangered”), an officer may not use a chokehold. Is the Committee’s position that there are no conceivable circumstances where a chokehold would be justified?

It is concerning to envision a scenario in which an officer’s life is in danger and their best option for survival is banned by state law. Further, situations may arise when a victim’s life is in danger, but because of the proximity of the victim and suspect, the use of a service weapon would not be a viable option and a chokehold may be the safest course of action for all involved.

We respectfully request that allowances be made in the event that the officers’ life is in danger or they are otherwise unable to or should not use their service weapon.