



To: Members of the Joint Transparent Policing and Use of Force Reform Committee

From: Chief Jim Ferraris, President
Oregon Association Chiefs of Police

Date: July 29, 2020

Re: LC 745 – Concerns Regarding Chokehold Ban Legislation

Good Morning Co-Chairs Bynum and Manning and Members of the Committee:

For the record, my name is Jim Ferraris. I serve as the Chief of Police for the City of Woodburn and I am the President of the Oregon Association Chiefs of Police (OACP). As a 42 year police veteran in Oregon I have served 4 cities across our state. I am offering testimony regarding LC 745.

This LC as written modifies HB 4203 which was passed in the last 2020 Special Legislative Session and signed into law by the Governor. The modification in LC 745 removes the “deadly physical force” provision for law enforcement officers. Currently under HB 4203 the law allows the use of what is commonly referred to as the “chokehold” by a peace officer when deadly physical force would be authorized in defense of the life of the officer or another person. Further and most importantly, this LC expressly prohibits the use of a “chokehold” by a law enforcement or corrections officer when the officer’s life is endangered.

I can think of many examples and circumstances through my own experiences and others that have come to my attention over my 5 decade career where officers have been in situations where death or serious physical injury would be certain had the officer not been able to appropriately defend themselves, including gaining control over the suspect with a hold around the suspects neck that would have constricted the blood or air flow of the suspect. I am talking about life and death here, not a wrestling match.

We fail to see why a law enforcement or corrections officer would not be able to use such force when faced with circumstances that could result in the death of the officer or another person. It appears that the average citizen would have the ability under the law to use such force but a law enforcement officer or corrections officer would not.

We ask that you reconsider moving this LC forward and maintain the current law deadly force exception provision for law enforcement and corrections officers as written in HB 4203.

Thank you for your consideration.