

I am writing in support of the objectives behind the LC drafts which will be discussed during the Joint Committee On Transparent Policing and Use of Force Reform's 9/3/2020 hearing. As a privileged white male who lives in unincorporated Washington County, who works and spends significant time in Portland and Beaverton, and who enjoys visiting many other parts of the state, I am keenly interested to see these issues addressed at the state level and across all manner of law enforcement agencies. Our state will be better off for having made effective changes because it is objectively bad for all of us when systems which permit the unfair and unjust treatment of any class of person persist. The recent injustices enacted upon Breonna Taylor and George Floyd may not have occurred in Oregon, but we know that there have been similar incidents here before and there is no guarantee that they will not occur in the future. It is entirely appropriate for the legislature to enact improvements to the governance structure of the state; I applaud you for the efforts below and encourage you to see them through. As the saying goes, "When we know better, we can do better" ... so let's do better!

I support good-faith, productive efforts to address systemic racism related to policing at all levels in Oregon. Such efforts should generally include ending policies which disproportionately and harmfully impact people of color and the poor (i.e. - broken windows policies, allowable uses of force, profit-based law enforcement actions), increasing effective accountability to the community (i.e. - taxpayers) and community oversight and conversely decreasing police unions' capacities in these areas, and demilitarizing our police forces. Furthermore, at all levels of government, we need to shift funding away from law enforcement agencies to organizations and services that improve community livelihood (i.e. - increase education funding, increase mental health services, stabilize the social safety net, etc.), as this is the only proven method of crime reduction and creating meaningful equity across all communities.

Regarding this meeting and the proposed LCs specifically:

- LC 742 (LC 17) - Generally, I support this. It is shameful that chemical incapacitants, toxic chemicals, and kinetic impact projectiles were indiscriminately used on crowds and non-violent protestors across Portland this summer, including in residential areas and near watersheds. What would stop a law enforcement agency from such actions in any other part of Oregon? The state should also compel the responsible agencies to repair damages suffered by individuals, neighborhoods, and watersheds retroactively, if the agencies will not do so on their own. Section 2, paragraph 2 contains several exemptions for cases where officers are "engaged in conduct otherwise justifying the use of physical force by a peace officer." This is sufficiently vague to render the section ineffective. Could the exception be reduced in scope or even removed? Could accountability mechanisms be added? Perhaps something which declares that law enforcement agencies cannot themselves declare the exemptions were justified for such actions, but that all such actions must be approved by a community-based review board which is independent of the agency and any related police unions? Section 2, paragraph 4 regarding federal law enforcement is welcome but needs to be enhanced; effective accountability and compliance is expected no matter the agency.

- LC 743 (LC 18) - This measure is needed to increase accountability and oversight efforts. I am in support of the current draft, but please ensure that future drafts make its provisions inclusive of all "law enforcement agency" as defined in LC 742 (LC 17). During the recent protests in Portland, there have been many documented instances of officers covering their badges and refusing to provide their name and badge number. What would stop a law enforcement agency in any other part of the state from engaging in this obstructive behavior? Fair-minded citizens would not accept this behavior from any other employee or contractor supported by their taxes from any branch of government in any part of the state, and so it should not be allowed from any law enforcement agency in the state, either. I notice the bill is silent towards

similar requirements for federal police forces, such as those which the Department of Homeland Security utilized during July of this year in downtown Portland. Oregon may not be able to legally enforce such a requirement on federal officers enacting their duties Oregon, but I ask that the committee consider other means to obtain similar outcomes with regards to federal officers and identification requirements.

- LC 762 (LC 19) – I generally support this measure and its means of increasing accountability among the state’s law enforcement agencies. The proposed crime’s \$6,250 fine is too low to be an effective deterrent; I recommend increasing it to be several times higher, so that it can provide an effective deterrent to recklessly tampering with public records. Additionally, no police union or representative body should have the authority to stop an entry from being added to this database, to edit or censor in anyway all or part of an existing entry, or to remove an entry.

- LC 763 (LC 20) – I generally support this measure.

- LC 746 – I generally support this measure. As law enforcement agencies are meant to serve the public and are funded by the public, it is important that commission members primarily be drawn from communities affected by such agencies; conversely, to support accountability, it is important that the commission not be allowed to become a forum for the self-policing of law enforcement agencies. Thus, I recommend that Section 4, paragraph 2 be amended to include a cap on the number of members or representatives of any type of union related to law enforcement officers of any rank plus a joint cap on the combined number of law enforcement officers and members or representatives of such a union. I applaud the inclusion of a representative of historically marginalized communities.

There are not yet drafts available for LC 747, 821, or 825, but their subjects appear to be useful to the improvement of conditions state-wide and of productive efforts to address systemic racism related to policing at all levels in Oregon. Restricting or altogether removing qualified immunity may be the most important of these; accountability is paramount in a system of good and equitable government, and thus there is no compelling reason to allow law enforcement agencies and their officers to hide behind qualified immunity.