

Testimony on LC-17, 18, 19, and 20 from Mary Barbee for 9/2/2020 session

I'm Mary Barbee, an Oregon resident. I'm a Family Member of Pacific Northwest Family Circle (PNWFC), which means I've lost a Loved One, my Cousin Wesley Allen Barbee, to police violence.

Police violence is not just a problem here in Oregon. It is a national problem. Families like mine have lost and are still losing their Loved Ones every day to police brutality. When will it end?! When will the very people who swore to protect and serve us stop killing us? When, if ever, will they be held accountable for killing our Loved Ones in the name of law?

It's almost laughable when we hear that the officer feared for their life, when it's clear so many times that they were in no danger. Media reports that they were "in the line of duty", as if this is cause for us to immediately support the officer. But for the seriousness of their actions, they go unpunished for their inhumane acts.

To be honest, there's some good in these bills, but like so many other bill, how will they truly make a difference? Everything usually looks good on paper, but how does it, or will it, transfer into reality? These bills are being made too hastily if the intention is to possibly pass these in a special session in September.

LC17 is a good start. It recognizes that how police are regulated differs from place to place, but police are highly mobile with broad jurisdiction. For instance, when Portland police weren't allowed to gas protestors, Multnomah County sheriffs, not bound by a judge's 14-day-stay, rode in cars with Portland police officers, so they could gas them. This bill appears to prevent less regulated police to do things that more regulated police cannot do.

Unfortunately, it still gives police the discretion to use projectiles and other methods of unnecessary force that could result in the death of a person in any given situation they deem fit. It would be easy for them to claim that the chaotic nature of a "riot, civil commotion, or mob action" does not allow them to target carefully all the time. When police are the only tool of the state to report on the action during protest, police will lie. Since there is no state law that disciplines officers, they will continue to do whatever they like, given the discretion to do so in this bill.

LC 18 requires office to identify who they are right now. How is this going to make them adhere to these policies when these policies give them so much discretion? The policing system is rotten AND there are individual police that need to be rooted out during the hiring practice. Improving the hiring process is a long-time demand of PNWFC with the following practices, which are standard in other employment situations. The National Feet to Fire demands include, "create a nationwide database for police officers, with a nationwide background check, including a psychological exam on all officers and a waiting period for all out-of-state hires to insure all reports and reviews from the former state and department have been received and reviewed."

All of LC 19 needs to happen. There is some very good policy here. The problems may come as they are implemented. Will there be people who are going to follow them through? Who are those people? Also, most of the things that will be reported on in this aren't actually being done, like disciplining police officers.

PNWFC's priority is destroying qualified immunity granted at the federal level by disciplining officers at the state level (see PNWFC Testimony).

My concern is that police officers will destroy evidence even though there is a fine and or possibility of imprisonment. The language is written "up to" \$6500 or so or 1-year imprisonment. I'm concerned about the "up to" language since officers could possibly just be fined \$1 and spend 1 day in prison. But, even if they were fined \$6500 and had to spend a year in prison, this will not prevent many officers from destroying evidence that would convict them of homicide of a Loved One instead. In addition, the administrative cost alone of publishing past records into a public website is far, far more than \$6500 over time.

LC-19 is simply not strong enough. Furthermore, it risks destroying evidence that over 380 Families throughout Oregon who have lost Loved Ones to police violence are relying on to get justice for Loved Ones.

LC 20 holds all officers in every capacity accountable for their actions, especially those in the correctional facilities including the Warden, Deputy Warden and all other officials responsible for the care of people who are incarcerated. These officials are using inhumane methods of torture, intimidating measures, and dehumanizing tactics in their everyday lives. This is a much-needed bill.

In general, the summaries of these bills, in other words, the intent of these bills is good. How they will be implemented needs a great deal more detail and input from Families whose Loved Ones were killed by police. When a ruling and punishment of homicide is threatening police, they will be unpredictable in how they behave.

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