

Co-Chair Manning, Co-Chair Bynum, and Members of the Committee,

My name is David Balgley, and I am a resident of Beaverton and a constituent of Representative Sheri Schouten and Senator Mark Hass. I fully support each of the four LC drafts under consideration for a future special session, and I strongly encourage you to hold that special session as soon as possible. As House Speaker Kotek said in her statement on September 1st, “Police officers should be held responsible for destructive, dangerous, and violent acts. At this critical moment, they’re not being held sufficiently accountable and therefore the protests continue...The protests will end when we see more change.” These draft bills are a concrete step forward in mandating police accountability for abuses against Oregonians, particularly our Black, Indigenous, and communities of color.

For more than three months, I have regularly attended protests against police brutality throughout the Portland metro area, where I grew up. From daytime marches and rallies to late night direct actions, I have heard a unified message from Black community activists: hold police accountable for their violent actions, defund police bureaus, and invest in our BIPOC communities.

During this time, I have repeatedly witnessed the Portland Police Bureau, Multnomah County Sheriffs, Oregon State Police, and federal officers from a variety of agencies take massively disproportionate action against crowds of protestors. Personally, I have never engaged in the minor property damage that a small number of protestors believe is the best tactic to end state-sanctioned violence against our community members. Ostensibly, this would make me one of the peaceful protestors lauded by police and elected officials.

And yet, I have been routinely tear gassed, shot with less-lethal munitions, and physically assaulted by police officers. The only reasonable conclusion I can draw from my personal experiences is that in Portland, the PPB and other police agencies that assist them in crowd control have vindictively decided to punish BLM protestors as a group for exercising their First Amendment rights – in stark contrast to how police treat right-wing protestors. Furthermore, it is nearly impossible for me to legally report specific instances of police brutality because officers actively conceal their identities to prevent being held accountable by the communities they are supposed to serve and protect.

My sincere hope is that LC 17 will prevent police officers from recklessly endangering civilians through indiscriminate use of less-lethal munitions, and that LCs 18, 19, and 20 will allow us to hold both individual officers and departments as a whole accountable for their actions and decisions. However, I have deep concerns that police departments will do their best to exploit any possible loopholes. When the legislature passed a bill banning tear gas except during riots, the PPB started declaring riots on a nightly basis. I encourage you to work under the assumption that police are not willing participants in reform processes, and that they will do everything possible to avoid accountability in order to maintain their current powers and continue a long history of violence against our BIPOC communities.

Thank you for considering my testimony.

David Balgley