



OREGON ASSOCIATION CHIEFS OF POLICE
EXCELLENCE IN POLICING

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OREGON STATE SHERIFFS' ASSOCIATION
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To: Members of the House Judiciary Subcommittee on Equitable Policing

From: Chief Chris Skinner, Eugene PD
On behalf of the Oregon Association Chiefs of Police &
the Oregon State Sheriffs' Association
cskinner@eugene-or.gov

Date: February 8, 2021

Re: Testimony identifying concerns re HB 3059 – Repealing Unlawful Assembly Statute

Chair Bynum and members of the committee,

On behalf of the Oregon Association Chiefs of Police (OACP) and the Oregon State Sheriff's Association (OSSA), thank you for the opportunity to provide testimony regarding HB 3059. We have significant concerns with this measure and how it will impact the ability of law enforcement to address gatherings that become violent. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations is to protect the rights of those peacefully assembling, regardless of the views they are expressing, to preserve the peace, to protect life and prevent the destruction of property. This is where the challenge ultimately lies – we are committed to protect the rights of those peacefully assembling, while simultaneously working to stop the few individuals intent on jeopardizing community safety up to and including those destroying property and committing acts of violence.

Repealing the Unlawful Assembly Statute will have a dramatic impact on the ability of law enforcement to keep our communities safe. Repealing this statute will eliminate a valuable tool that law enforcement uses to disperse unlawful gatherings and de-escalate tensions when violence and threats to community safety become likely. Law Enforcement agencies have detailed policies in place that guide the use of this tool which include attempts to persuade event organizers or participants to disperse of their own accord before an unlawful assembly is declared. If verbal persuasion efforts are unsuccessful, agencies provide a clear announcement that the event is an unlawful assembly, and order the dispersal of participants. Department policies require the announcement to be clear, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement includes information about what law enforcement actions will take place if illegal behavior continues, identify routes for egress and provide a reasonable time to disperse following a dispersal order.

Without the ability to declare an unlawful assembly, law enforcement would be forced to wait to respond until violence and criminal activity escalates and community safety is compromised. This could result in serious property damage, violence, injury and deaths.

In Oregon's recent past, the riot activity and breaching of the Oregon State Capital in January 2021, the riot incidents in Portland and other Oregon cities during 2020 and the Malheur Wildlife Occupation in 2016 are examples of situations where law enforcement need the limited tools they have at their disposal to de-escalate tensions and violence and to achieve safer outcomes for community members and law enforcement personnel.

Thank you for this opportunity to testify and I am happy to answer any questions you have.