

In 2020, law enforcement officers in Oregon utilized chemical incapacitants and kinetic impact projectiles on nonviolent protestors who had not broken any laws. The result was that many protestors were seriously injured by law enforcement. Protestors injured by police have an extremely limited ability to recoup damages after being harmed, and it is even less likely that any law enforcement official receives a professional or legal consequence for the improper or illegal usage of chemical incapacitants, kinetic impact projectiles and sound devices. It remains unclear what additional harms have been caused to other innocent bystanders from the lingering effect of teargas used against Portland protestors this summer, but what continues to be a certainty is that those individuals harmed will have little legal recourse. Police officers tend to attempt to describe their usage of non-lethal weaponry as a best case scenario, as otherwise, police have indicated that they would be required to use lethal force. It's this disturbing narrative that has led to incidents of police brutality across the U.S. in 2020, often times occurring publicly and on video. Simply put, American police departments have embraced the notion that the usage of any non-lethal weapon on any person protesting is acceptable. It is up to the Oregon State Legislature to defend the 1st and 4th Amendment rights of peaceful protestors and pass HB 2928.