

Good evening, Representative Holvey and members of the House Special Committee on December 21, 2020. My name is Bernadette Hansen, I live in McMinnville and I am a constituent of House District 23. Thank you for this opportunity to testify on a very important matter that will affect the citizens of House District 23 and all Oregonians.

I wish to start my testimony by going over the timeline of Representative Nearman's actions that lead us to this moment. It is important that we not forget Mr. Nearman's purposeful intention and actions that have placed him in this situation and all of us here today.

In May 2020, Mr. Nearman was one of several plaintiffs who sued the State of Oregon and Governor Kate Brown seeking to end restrictions designed to curb the spread of the coronavirus within the state. The Oregon State Supreme Court upheld the Governor's orders. In October 2020, Mr. Nearman again sued the State and the Governor. This time, the case was dismissed.

On December 16, 2020, a video was streamed live on YouTube and Facebook showing Mr. Nearman telling a group that he would open the door to let them into the closed Oregon Capitol building during the upcoming special session. He named this conspiracy "Operation Hall Pass."

He said, "We're talking about setting up Operation Hall Pass, which I don't know anything about. And if you accuse me of knowing something about it, I'll deny it." People in the room laughed. He continued, "There might be some person's number which might be [his cell phone number], but that is just random numbers... that's not anybody's actual cell phone. And if you say, 'I'm at the west entrance' during the session and text to that number there, that somebody might exit that door while you're standing there."

Five days later, with the Oregon Legislature convened in an emergency one-day special session to discuss and pass four bills relating to coronavirus relief, Mr. Nearman followed through on his plan to let those same people into the Capitol building.

Under U.S. and Oregon law, a person involved in a conspiracy can be held responsible for each element of the conspiracy, regardless of their level of participation. Because of this, Mr. Nearman is as responsible for the bodily injuries inflicted on police and the damage to the building as if he had performed those acts himself.

On January 11, 2021, House Leader Tina Kotek stripped Representative Nearman of his committee assignments. Committees are where new laws are conceived and shaped, and where the majority of public policy work is done. Bills begin and end in committees—whether they are passed into law or not. Committees also provide the vital framework that allows the public to give input and make recommendations. When a member of the Legislature loses their committee assignments, they are prevented from effectively representing their constituents.

Mr. Nearman knows what he did was wrong and that his actions were illegal. Despite this, he conspired against the State and the People of Oregon. Regardless of where you sit politically, I think we can agree that his treasonous actions don't represent Oregon values. And he no longer represents me nor the citizens of House District 23.

To be completely honest, I have an increasing sense of disillusionment with government and government officials... I am losing faith. There are certain bedrock principles that should guide our elected officials. Our elected officials are supposed to uphold the public trust instead of falling prey to hubris, greed and ambition. If we don't hold Mr. Nearman accountable, it will be an open invitation for other elected officials to do the same thing... putting themselves above the law.

In closing, I want to remind this committee that we're not here to merely have an individual member punished, but ultimately to protect the institutional integrity of the Oregon Legislature, its proceedings and its reputation. Thank you, again, for this opportunity to testify.