

Chair Bynum, Vice Chairs Noble and Power, Members of the Committee,

My name is KC Lewis, I am the managing attorney for the Mental Health Rights Project with Disability Rights Oregon. Disability Rights Oregon opposes the proposed changes to Oregon's use of force statutes in HB 4131. These changes are being characterized as a "technical fix" by certain stakeholders, but let us be clear: these constitute a major change to the substantive law that was passed with bipartisan support in the 2021 session. While

Many people have already spoken to the harm that the indiscriminate use of chemical weapons by the Portland Police Bureau has done to our communities and to our trust in our police to keep us safe. I will speak instead about the outsized impact that these used of force have on protesters with disabilities. I know because I was one of them. I witnessed nightly protesters in wheelchairs, protesters who were deaf or hard of hearing, protesters who were blind, protesters with emotional support animals, brave the elements and an unprecedented wave of police violence to proudly declare that Black Lives Matter. Who knows how many of the other protesters lived with invisible disabilities, and still put themselves in harm's way to advocate for their values.

And I witnessed the effect that use of chemical weapons had on those people. People struggling to get out of the path of clouds of tear gas while police gave contradictory instructions or bull-rushed into crowds of protesters, not caring if the people they knocked over were in wheelchairs or on crutches. People separated from their guides, from their support animals, from the friends that they had brought along to help keep them safe as they navigated protests with a disability. I also saw the aftermath of these actions: people afraid to exercise their first amendment rights for fear that they might suffer a debilitating injury or put their friends in harm's way. The chilling of free speech, happening right before my eyes.

It is frankly unfair that all of law enforcement in Oregon is saddled with the actions of the Portland Police Bureau in the summer of 2020. But at a time when the City of Portland has made little progress on police accountability, at a time when they are still withholding vital information from the Department of Justice and the public, and at a time when public trust in the City and the Police Bureau is still deeply damaged, now is not the time to put another tool back into their arsenal that was so egregiously misused so recently. Please vote no on any efforts to relax the standards on the use of chemical weapons and other "less lethal" weapons by the police. Thank you.

Sincerely,
KC Lewis

Managing Attorney, Mental Health Rights Project