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On Behalf Of:
Committee: House Committee On Judiciary
Measure: HB4131

The brutal use by the Portland Police Bureau of teargas and other “crowd control” weapons threatening to life and limb is a notorious atrocity and disgrace. Life-threatening weapons are deployed indiscriminately against large peaceable assemblies and community members in their own homes, and violent attacks are also carried out by PPB against specific Portlanders peaceably minding their own business or engaging in First Amendment protected activity.

I know personally several upstanding Portlanders who have been viciously attacked by PPB whilst peacefully protesting, often more than once!

A law is desperately needed to rein in this abuse. However, the one under consideration is not remotely adequate.

Peaceable assembly is a vital civil liberty in any free society. The best and bravest minds of western civilization have struggled for centuries to safeguard this right, so necessary to the existence of a free society.

Police attack this vital right by declaring peaceable assemblies to be “riots”, completely without any reasonable or factual basis for such a characterization, and proceeding to instigate the very violence and chaos they claim to be preventing.

Many of these “less lethal” weapons are quite capable of cause serious and permanent injury and damage to health, permanent disability, and loss of life. They are therefore inherently and entirely unsuitable for the “crowd control” purposes to which police irresponsibly and inexcusably put them.

These truths are self evident: that defensive measures may only validly be directed against actual attackers, and that therefore an indiscriminate violent attack against any crowd cannot be justified under any circumstances and constitutes a grave crime against humanity.

Specifically CS gas aka “tear gas”, a chemical weapon whose use in war constitutes a war crime under international law, is incapable of being directed against any particular person and is therefore self-evidently entirely unsuitable for “crowd control”. Indeed, this substance has purpose for which its use is appropriate.

The use of this toxic substance by PPB not only exposes, without warning, entire crowds of persons peaceably and lawfully exercising their rights under our

constitutional system to the possibility of irreversible physical harm, it puts residents in their homes at similar risk.

Any law attempting to address this dire emergency must, in order to be remotely adequate, completely and totally ban the use of CS gas.

Furthermore, the law as written would appear to allow the police to continue using chemical incapacitants, which by the definition provided in the statute are toxic chemicals capable of causing permanent harm, indiscriminately against crowds.

This is entirely unacceptable. Human decency requires that any use of any type of weapon must be directed defensively against a specific individual person who is engaged in aggressive violence.

The PPB has been routinely engaged in directing chemical weapons capable of causing permanent harm indiscriminately against crowds and against specific persons peaceably minding their own business. The law must completely ban these outrageous practices, which as written it fails to do.