

Testimony Regarding HB 4131

February 20, 2022

What are we doing here? We are here, again, asking our elected officials to NOT expand police ability to harm us. This past weekend, here, activists engaged in protected activities were murdered and we are here hoping more are not harmed.

The munitions police have used and released on our community are known carcinogenic weapons, some of which have been banned by the US Military and banned in international war. That is not hyperbole. However, our cities demand to use them against our citizenry. The police will call these munitions “less lethals” or “riot control agents” to minimize the impact and make you all feel better about their use. They will ignore years of scientific research and claim there is little info about the impact. They will tell you they want to get clarity on how to separate two people fighting and want to use pepper spray. They won't tell you the likelihood that they will harm the victim and bystanders or even themselves. What we do know is that teachers got gassed, teens inhaled toxic chemicals, medics who ran to stop bleeding poured burning agents from their own eyes, and others. Our own hospitals studied the impact and discuss continuing menstrual harm. Mothers miscarried. Neighbors of ours continue to struggle with trauma and physical harm.

So again, what are we doing here?

Police claim these agents are safe but they are ignorant and naive. They rely on manufacturers who hide data and skirt laws. In an interview with former PPB Chief Resch, she told me that OC gas was “food grade” due to being an extract of capsicum. This is far from the truth and shows that the leadership even trafficks in misinfo and ignorant information.

“In 1993 ... the US Department of Labor warned that OC spray posed significant health risks¹.”

Despite information like this, we are here with our cities demanding to use this, and worse, against us. The leaders do not know the impacts and share false information to the public but now, call for use based on that ignorance. They say they need clarity but they did not seek that same clarity when requesting expired munitions from other cities. They did not seek the same clarity when accepting manufacturer word over scientific consensus. They did not seek the same clarity when they threw canisters into a crowd of us.

PPB is currently being prosecuted for attacking a father who was pleading with officers to stop gassing his home while his children struggled in pain inside. Now, refusing accountability there they demand to do that again. Is that what we are doing here? Demanding no carrot but more sticks?

¹ http://www.nopepperspray.org/health_hazards_of_pepper_spray_ncjm.htm

The United Nations themselves issued a warning about Portland Police and law enforcement attacks on rights in 2020². International legal experts and watchdog groups raised concern about our police but now we ignore that. Is that what we are doing here?

The UN published a paper on rights to peaceful assembly and stated,

“Less-lethal weapons with wide-area effects, such as tear gas... tend to have indiscriminate effects. When such weapons are used, all reasonable efforts should be made to limit risks³”

Physicians for Human Rights also issued a report on Portland⁴,

Less lethal does not mean non-lethal. Projectiles, when fired at close range or directly at people’s heads, necks, or chests, have caused [loss of eyes](#), [perforated chests](#), [brain damage](#), [cardiogenic shock](#), and even death. They should never be used for crowd control against largely peaceful demonstrators. There is a heavy burden of proof on these law enforcement agencies to show that these actions do not amount to excessive force that fails to comply with the [international human rights principles](#) of necessity, proportionality, precaution, legality, and accountability.

I hope that we will do so here and follow recommendations from the UN and other champions of human rights. Oregon should be a leader in health and human rights. This before you today is an attempt to walk backward. This is an ask from our own cities to brutalize and harm our own citizens. It ignores recommendations from Portland’s own oversight groups like the [CRC](#) and from international groups like [the UN](#). Here, we continue to ignore science while publicly stating we follow it. You ignore communities who demand safety for all citizens. You ignore the bruises and miscarriages of both children and justice.

Today, rather than be here to brutalize, how about we leave Oregon a little safer.

I ask you oppose the base bill in HB 4131 and support the amendment submitted by civil rights advocates which is HB 4131-3, i.e., the 4131 - 3 amendment

Thank you, Jake Dockter

² <https://www.nytimes.com/2020/07/29/world/americas/united-nations-portland-protests.html>

³ <https://digitallibrary.un.org/record/3884725?ln=en>

⁴ <https://phr.org/our-work/resources/now-they-just-seem-to-want-to-hurt-us-portland-oregon/>