

Submitter: Cheyenne Love  
On Behalf Of:  
Committee: House Committee On Rules  
Measure: HB2572

What is the difference between "unlawful paramilitary activity" and an organized group of protestors?

According to the HB 2572 Staff Measure Summary, "Oregon does not currently define or criminalize domestic terrorism or violent extremism, but since 1983, ORS 166.660 has provided that engaging in "unlawful paramilitary activity" is a Class C felony. Under the statute, a person engages in unlawful paramilitary activity one of two ways: (1) if they exhibit, display, or demonstrate to another person the use, application, or making of any firearm, explosive or other technique capable of causing injury or death, intending or knowing that it will be illegally used in a civil disorder; or (2) if they assemble with one or more people for the purpose of training, practicing, or receiving instruction in the use of any firearm, explosive, or other technique with the intent to engage in civil disorder." As stated in the Staff Measure Summary, HB 2572 seeks to clarify the meaning of "civil disorder" in ORS 166.660 in a manner which includes "acts of intimidation or force by groups of armed persons that (1) interfere with government functioning, (2) assert authority over others without their consent, or (3) prevent others from exercising their constitutional rights."

Unfortunately, this adjustment in definition seems to leave potential for nonviolent means of protest such as convoys or blockades to be considered "unlawful paramilitary activity" if participants are found to be armed, even if engaging in peaceful protest. Leaving "other technique" undefined in the second part of the definition of unlawful paramilitary activity in ORS 166.660, combined with defining civil disorder as "intimidation OR force," leaves too much grey area to be exploited by those with an interest in shutting down opposition. Please vote "no" on HB 2572!