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February 13, 2024

RE: Support for HB 4135

Chair Kropf and members of the committee:

I am writing to express support for HB 4135. This measure takes a significant step toward ensuring our public safety system has adequate tools to address the danger posed by those who make threats of mass harm to others.

While threats of mass harm are always concerning, they are particularly alarming when the intended target is a school or place of worship. Unfortunately, these types of threats test the limits and abilities of existing Oregon law.

This measure helps address some of the current gaps in Oregon law. It helps ensure those convicted of this crime are formally supervised if they are placed on probation. Additionally, it broadens the scope of current law to address a greater scope of threatening behavior.

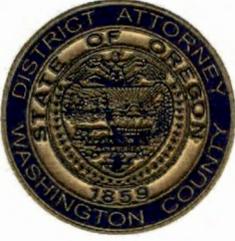
Unfortunately, my office has had direct experience with cases that fall within the current gap in Oregon law. As an example, attached is a press release dated November 21, 2023.

I greatly appreciate your attention to this issue and I welcome the opportunity to continue to work with this committee and Representative Neron on this measure.

Thank you,

A handwritten signature in blue ink, appearing to read "K. Barton".

Kevin Barton
District Attorney for Washington County



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FOR IMMEDIATE RELEASE

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NOVEMBER 21, 2023

971-708-8219

WASHINGTON COUNTY MAN SENTENCED IN FEDERAL COURT IN SCHOOL SHOOTING THREAT CASE

HILLSBORO, Ore- On November 16, 2023, Braeden Richard Riess was sentenced for the federal felony crime of Interstate Communication of a Threat. U.S. Chief District Court Judge Marco A. Hernández sentenced the defendant to the seven months he served in the Washington County Jail, ordered him to participate in a mental health treatment program, and required the defendant to serve three years of federal supervised release.

In May of 2022, a federal agency alerted the Sherwood Police Department that it received threats via its website from the defendant. Mr. Riess threatened to shoot children at an elementary school in Sherwood and said he would commit suicide after the shooting. Mr. Riess was arrested and authorities notified parents at the school.

The case was originally referred to the Washington County District Attorney's Office for prosecution. On May 17, 2022, the defendant was arraigned on six counts of Disorderly Conduct in the First Degree, the maximum available charge under Oregon law. However, because Oregon law does not provide sufficient means to address threats of mass violence, this office reached out to the U.S. Attorney's Office to refer the case for federal prosecution.

Oregon law does not provide an adequate means to address threats of mass violence to public places such as schools or places of worship. District Attorney Kevin Barton has worked with Representative Courtney Neron and multiple other state lawmakers over the years to remedy the issue. In 2020, DA Barton collaborated with lawmakers to craft [HB 4145](#) which sought to close this gap in Oregon law. However, despite broad support, that bill did not become law. In 2023, DA Barton worked with lawmakers to craft [HB 3035](#), but that bill also did not become law.

Currently, DA Barton and Representative Neron are working on another bill to bring this issue once again before the legislature in the upcoming 2024 legislative session. DA Barton encourages concerned community members to contact their respective state lawmakers to voice their support for a legislative fix to this issue.

"I am grateful for the assistance in this case from the U.S. Attorney's Office to keep our Washington County community safe," said District Attorney Kevin Barton. "Now we must ensure that lawmakers act without delay to fix the gap in Oregon law so that we can send a clear message that threats of mass harm to locations such as schools and places of worship will not be tolerated."

The office wishes to acknowledge the U.S. Attorney's Office for the District of Oregon for its willingness to take on this case. This office also thanks the Sherwood Police Department, Washington County Sheriff's Office, FBI, and Sherwood School District for their efforts to keep students safe and parents informed.