

## Testimony Tuesday, February 13, 2024 House Judiciary Committee Public Hearing on HB 4135 Threatening a Mass Injury Event

My name is Darwaish Zakhil. I am the Co-Founder and Director of Community Advancement at the Afghan Support Network; I am submitting this testimony in favor of House Bill 4135. At the Afghan Support Network we assist community members who have recently settled here escaping violence in Afghanistan. I share this personal experience with you to consider as you decide on HB 4135.

On September 2, 2023 a large gathering of mourners assembled for the funeral of an Afghan child who drowned August 2023 at a public pool. Many family, friends, and members of the Afghan community gathered at a mosque for a funeral and to support the child's family. While many people were standing outside the mosque, a man started yelling at some of the mourners. There was an argument about street parking, and the man was angry at the people gathered. The man threatened loudly he was going to come back with his gun and shoot them, warning he was going to "f###k up this whole place" . The man left the scene in his vehicle, squealing tires as he left the stunned and frightened crowd. Members, worried about his imminent return, called 911 and were told by the dispatcher it did not appear a crime had been committed and to call back if the man returned. Members who had a relationship with Portland Police Bureau officers through the Bureau's Muslim Advisory Council, called a PPB member they knew and expressed fear and concern for the safety of the gathering. Though the incident occurred in Gresham, PPB sent officers to come assist the gathering and calm their fears, and write reports. No police were dispatched by 911 to investigate, because this threat to commit an act of violence is not against the law....unless and until a mass shooting occurred, police did not have a belief a crime had occurred.

This cannot be acceptable. When someone threatens a gathering of mourners telling them he is coming back to shoot them all with a gun, we believe those hateful words. We have all seen too many mass shootings occur. An entire community was placed in fear and stress and continues to be. We must be able to have police intervene before a mass shooting - this is what the community deserves.

House Bill 4135 creates a misdemeanor for these types of threats. This enables law enforcement to investigate a crime, intervene in a place where someone may be radicalized on a path of violence.

Maybe the person who threatened this crowd of mourners had a bad day.... maybe he had been planning an attack against Arab Americans or muslims specifically and he slipped up by announcing his intention...we don't know because law enforcement was not able to investigate, intervene and potentially disrupt a future violent attack. This law, if it had existed, may have made all the difference.

-the 911 operator would have dispatched the police agency responsible for that area-the officers would have interviewed witnesses and gathered video evidence-the subject may have been located and interviewed. If charged and convicted, that person would not be able to have a gun. That seems like a reasonable step for someone who threatens violence on a group of people.

At a minimum that intervention could have changed the outcome of future events. at a minimum the gathering of mourners at a child's funeral would have felt heard, respected and safer as a result.

Thank you for your consideration.