

Submitter: Charlotte Lumae  
On Behalf Of:  
Committee: House Committee On Judiciary  
Measure, Appointment or Topic: HB4138

Chair Kroph and Members of the Oregon House Committee On Judiciary,

I am writing to you this evening in very strong support of the Law Enforcement Accountability and Visibility Act, House Bill 4138. I am an Autistic adult and a survivor of police brutality. I am not alone. Autistic people are statistically much more likely to experience negative interactions with police, including being victims of excessive force, restraint, and arrest, compared to the general population. I hope it is already clear to you all, that if you ensure that law enforcement officers are easy to identify, this will help people of any neurotype tell the difference between an assault and kidnapping versus a legal detainment and arrest. I would like to raise awareness about why this matters so much for Autistic people.

Autistic people often need more time and more visual context clues to fully process social communication and everything happening around us. Many of us also practice scripts to deal with challenging situations, and we need extra time to shift gears from one script to another. We need clear indicators that we are dealing with law enforcement, because with law enforcement, the script is to stay calm and quiet, follow the officer's orders, keep our hands visible, still, and nonthreatening, remain passive, and do not resist arrest or attempt to evade police. It takes intense effort to do this even when we are completely sure we are dealing with police. We do not always succeed. As a young adult, I experienced sensory overload when police unexpectedly detained me during a misunderstanding with my medical providers. An officer grabbed me forcefully and set off my very strong startle reflex. As I flailed uncontrollably, I accidentally kicked a cop in a sensitive location. The police escalated and brutally hauled me off. They slammed my head down so hard in the back seat of the car that I got a concussion and briefly lost consciousness. All of this happened even though I knew they were police, and I did not actually try to escape or fight them off.

What if I had not known they were police? If I had thought I was actually being assaulted and kidnapped, I would have used every emergency skill I knew for escape and self-defense, including shouting for help, running away, and engaging physically. The police brutality would have likely been much worse. I am a white, non-Latina, English-speaking woman. Many Black and Brown people have been killed by police for less. There are Autistic people of every race and ethnicity, every national origin, and every citizenship status, so many of us are affected by racial profiling in addition to ableism. Autistic people with accompanying intellectual impairment and/or communication disorder are at that much more risk. By raising my voice, I hope that it

will help others even more than me.

When law enforcement is allowed to be incognito as they detain and arrest, this creates a terribly dangerous gray area, and it is even worse for Autistic people, because we are not as good at dealing with gray areas. If we don't know whether we are dealing with a criminal or a law enforcement officer, we may not be able to "read between the lines" from context to tell what script to follow. What if we default to our emergency self-defense and escape script? This could get us brutalized or killed by the secret law enforcement. What if we default to passivity? This effectively removes our self-defense option when dealing with anyone, and puts us at much higher risk of being victimized by an actual criminal. I am an educator with more than thirty years of experience, and I do not think it is possible to write a reasonable social story for my students about dealing safely with someone when you cannot tell if they are police or not. I think that means having unidentifiable police violates the ADA, the Americans with Disabilities Act.

Thank you for considering my testimony.

Charlotte Lumae, M.Ed.