

PROTESTERS, DON'T SHOOT PORTLAND, SUE CITY OF PORTLAND, SEEK BAN ON TEAR GAS

Their lawsuit follows a week of protests over police violence against Black people.

FOR IMMEDIATE RELEASE

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PORTLAND, Ore. – Portlanders Nicholas Roberts, Michelle “Misha” Belden, and the Black community advocacy nonprofit Don’t Shoot Portland have filed a class action lawsuit against the City of Portland over the use of tear gas against protesters. For the past week, officers of the Portland Police Bureau have used tear gas indiscriminately against people on the streets of Portland who are protesting for an end to police violence against Black people.

“We’re out screaming for justice for Black people and asking the state to stop its violence against us, and the City responds by using tear gas when we’re in the middle of a pandemic of respiratory disease,” said Teresa Raiford of Don’t Shoot Portland. “This just demonstrates that they don’t care about the harm they’re causing, and that they are willing to literally kill us for standing up. For weeks we’ve been told to protect against the coronavirus, and we have shut down the country to achieve that. Now suddenly the City doesn’t care about the risks of COVID-19 when we are fighting for our lives.”

Police have unleashed tear gas on crowds, including the plaintiffs, who have not committed any crimes and posed no threat to anyone else but were exercising their right to free speech. Police have used chemical weapons against protesters in the area of the Justice Center in downtown Portland on five out of six nights since the current protests began.

“Even with local governments enacting curfews and phases to reopen, protesting has continued as a demand for solidarity and justice for the innocent black lives killed at the hands of law enforcement and racist citizens,” said Arya Morman, Chief Public Health Consultant to Don’t Shoot Portland. Morman also stated: “It is the responsibility of law enforcement to not only uphold the law but to protect and to serve. Law enforcement and local government have dropped the ball as it relates to public safety, civil rights, and public health. Failure of national and local government leaders to acknowledge the public health impacts of protesters being exposed to pepper spray or CS gas spray is not only a public health concern but a civil rights violation.”

The plaintiffs are seeking a temporary restraining order as an immediate remedy to stop Portland police from using tear gas in the city. Furthermore, they want to see a permanent ban on the use of tear gas by Portland police.

“By nature, tear gas can only be used indiscriminately,” said attorney Maya Rinta of Albies & Stark, who is representing the plaintiffs. “When clouds of chemical weapons are in the air, everyone close by will breathe them in and be harmed.

The City knew this when it allowed police to use tear gas. It's a particularly dangerous act in the midst of a pandemic, since the effects of tear gas could amplify the spread of COVID-19.”

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Notes to Editors: On the use of tear gas during COVID-19, we also draw your attention to a statement by OHSU President Danny Jacobs, MD, FACS: <https://news.ohsu.edu/2020/06/05/statement-on-tear-gas-and-nonviolent-protests>.