



January 27, 2021

Honorable Rep. Janelle Bynum, Chair
House Committee on Judiciary
900 Court St. NE,
Salem, Oregon 97301

RE: Written Testimony in Support of HB2932

Dear Chair Bynum,

Below, please find my written comment in support of HB 2932 in the 2021 Legislative Session. Thank you again for giving me the opportunity to testify before your esteemed committee.

Good Morning,

My name is Juan Chavez. I'm an attorney and project director of the Civil Rights Project at the Oregon Justice Resource Center. Thank you for inviting my testimony in support of HB 2932. This would be a significant improvement for policing in Oregon, and should be supported.

Two of the cases I have been working on is *United States v. City of Portland* and *Don't Shoot Portland v. City of Portland*. Both of those cases turn on demonstrations of patterns and practices of excessive force used against a community. In the *United States* case, the Department of Justice found that the Portland Police Bureau had a pattern of excessive force against persons with mental illness or experiencing a mental health crisis. In the *Don't Shoot* case, the plaintiffs received a restraining order against the Portland Police Bureau for its pattern of excessive force against peaceful protesters.

I've also represented many individuals who have made the same claim against police bureaus across the state, and against the Department of Corrections. Prisons, I should note, are some of the most difficult places to advocate for people's rights in use of force cases because of the lack of information of what's going on inside.



It would not be shocking to many community members that these patterns exist. You can see it from your sidewalk, you can hear it being used outside your place of work, and you can talk to people who have experienced it. But there is rarely a quantifiable number that validates what the community has experienced. This bill could help change that. I do believe that having access to information like how often do officers use force, and in what circumstances do they use it, and who do they use it against, would help change their behavior. For communities where there is low levels of force being used, we can have a number that demonstrates that. More importantly, for communities that have been suffering from an epidemic of police violence, there can be numbers for that too.

As our state has seen when we collect data about police practices, we find the shocking truths about ourselves, and we can then begin the process of change and growth.

I'd like to note that I especially appreciate that this bill asks that we quantify *threats* of uses of force. What I hear from the community most often is that they believe that their police are overly aggressive, rude, and violent in the way they interact with the public. And that's by design and training. Officers have been trained and are allowed to use curse words and their "command voice" to aggressively bully our community. I reviewed some of the written testimony from the Oregon Coalition of Police and Sheriffs, where they state that such abusive language is actually de-escalatory and avoids uses of force. Well, it's hardly de-escalatory if what you're doing is creating a generational scar for that person and anyone they tell about the experience. You don't forget your bully from middle school. And you certainly don't forget the police officer who threatens to pull you down the steps of your home.

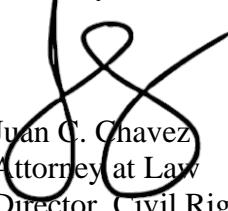


And that's why pouring more money into de-escalatory training may not be an adequate to solve the actual, lived problems experienced by our communities, and also why the voluntary FBI data collection criteria are inadequate.

And to any concerns that reporting on police behavior and tactics will lead to negative attitudes or the release of private information about the police, we all know that harassment is a crime and any public worker who faces such harassment would likely be protected by those laws. But also, more fundamentally, we cannot condone having a secret police with secret identities and secret tactics. That's not the society that our communities want, and it's what this body should protect us from.

Thank you again for inviting my testimony, and I'm free to answer any questions this committee has.

Sincerely,



Juan C. Chavez
Attorney at Law
Director, Civil Rights Project
Oregon Justice Resource Center