



PRESS RELEASE

OREGON LEGISLATIVE BLACK, INDIGENOUS AND PEOPLE OF COLOR (BIPOC) CAUCUS

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Oregon Legislature Strengthens Chokehold and Use of Force Statutes

Work continues on law enforcement accountability legislation

SALEM, Ore. – The Oregon Legislature voted today to strengthen legislation passed earlier this year to limit the use of chokeholds by law enforcement and strengthen use of force statutes.

“This bill continues the work of supporting a new concept of policing in the State of Oregon,” said Sen. Lew Frederick (D-Portland). “For many in marginalized communities, this is part of the first step. We have a long way to go.”

House Bill 4301 prohibits the use of chokeholds and other physical force that would impede the normal breathing or circulation of the blood of another person by applying pressure on someone’s throat or neck by police or corrections officers except for instances of self-defense as defined by state law.

“It’s long past time we disallowed officers from using chokeholds,” said Sen. James Manning (D-Eugene). “It’s wrong and it can be lethal. It is not a tool to deescalate it’s a tool to take a life. Chokeholds have been used disproportionately against Black and Brown people, and sometimes even used against our kids. There’s no excuse for that. Law enforcement should approach their work as peace officers, not as if they are going into battle. This change in law is important. It will save lives.”

The legislation also modifies Oregon’s use of force statutes to more closely align with the requirements articulated by the U.S. Supreme Court in *Tennessee v. Garner*. The measure also adds a requirement that a peace officer consider alternatives to deadly physical force if a reasonable opportunity to do so exists.

“Aligning Oregon’s use of force laws with Supreme Court case law is an effort that was long overdue,” said Rep. Janelle Bynum (D-Happy Valley). “Before, there was no requirement that an officer consider alternatives to deadly force. We now have a clear statewide standard that

officers are expected to de-escalate conflicts and use only the amount of force necessary. My goal is to end the disproportionate taking of Black lives at the hands of the people we entrust to keep us all safe."

"We expect law enforcement to protect and serve all those in our community," said Rep. Akasha Lawrence Spence (D-Portland). "This bill codifies those protections for underserved members of our community who experience a disproportionate number of deadly interactions, including forceful chokeholds as we saw in the high-profile cases of George Floyd, and Eric Garner. Today, we are saying, no more to those unjust practices."

This legislation is part of a package of bills being developed for the 2021 session by the Black, Indigenous and People of Color (BIPOC) Caucus. The legislation under development includes further limitations on tear gas and munitions, improvements to law enforcement identification, creation of a misconduct and use of force database, improved pattern and practice and the elimination of qualified immunity. All of the concepts are being evaluated by the Joint Committee on Transparent Policing and Use of Force Reform, co-chaired by Rep. Bynum and Sen. Manning.

"I am pleased that the legislature continues to strengthen police accountability measures by building on the work we did in the first special session," said Rep. Mark Meek (D-Oregon City). "However, we must continue working in future sessions to ensure that all Oregonians, and particularly our communities of color, are able to assemble freely and that officers who don't adhere to the standards of the force are held accountable."

The members of the Legislature's BIPOC Caucus are Rep. Teresa Alonso Leon (D-Woodburn), Rep. Janelle Bynum (D-Happy Valley), Rep. Diego Hernandez (D-Portland), Rep. Akasha Lawrence Spence (D-Portland), Rep. Mark Meek (D-Oregon City), Rep. Andrea Salinas (D-Lake Oswego), Rep. Tawna Sanchez (D-Portland), Sen. Lew Frederick (D-Portland) and Sen. James Manning (D-Eugene).

The legislation cleared the Oregon House, 55 to 2, and the Oregon Senate, 22 to 5. It now goes to Gov. Kate Brown for consideration.

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