



Date: 24 April 2023

To: Oregon Ways and Means Committee
CC: House Majority Leader Julie Fahey
Senate Majority Leader Rob Wagner

From: No More Freeways

Subject: **Opposition to House Bill 2772**

No More Freeways is an all-volunteer, grassroots organization working to oppose the Oregon Department of Transportation's proposed freeway expansions around the state of Oregon. Our entity believes that the legislature should be directing ODOT to instead prioritize scarce transportation resources in addressing our state's epidemic of traffic fatalities, investing in our massive backlog of maintenance projects, investing in passenger rail and transit. Doing so is essential as an initiative to fight for cleaner air free of pollution, reduce the 40% of Oregon's carbon emissions from transportation, and to keep Oregon fiscally solvent by avoiding multibillion dollar boondoggle projects that won't even reduce traffic congestion.

You may be surprised to hear us weighing in on a piece of legislation that initially seems irrelevant to the transportation policy reforms initiatives we champion. **However, we wish to oppose and express grave concern about the potential unintended consequences to House Bill 2772.** We see this bill as threatening the rights of many of our allies in their ability to peacefully assemble, and any legislation that could be used or abused to chill mass mobilization to stop new and transition away from existing fossil fuel infrastructure is a threat to our larger effort to build a movement for a cleaner, more sustainable transportation future.

In addition to our litigation and research, No More Freeways has been proud to partner with and empower teenage climate activists who have demonstrated tenacity, ingenuity, bravery and guts in their ongoing work to direct attention to the climate malpractice of ODOT. After numerous examples of elected officials and ODOT bureaucrats ignoring or actively cutting off the mic during zoom testimonies, these young folks took matters into their own hands and organized a bi-weekly strike outside the Oregon Department of Transportation's downtown Portland office to call attention to the agency's active



hostility towards meaningful climate reforms. These are students that would take the bus downtown after classes in high school to hold bi-weekly strikes outside the ODOT office to draw attention to the agency's (and to the legislature's) abysmal response to the role Oregon's transportation system plays in the climate emergency. Showing up with little more than hand painted signs, sidewalk chalk and their chemistry homework, these students for over a year held rallies. These rallies ultimately were attended by dozens of community members, as well as numerous elected officials and other candidates for public office.

The "Youth Vs ODOT" rallies became spaces for young folks to feel less alone in their climate grief, as well as to strategize on how best to call attention to this cause. The bi-weekly strike grew large enough to draw the attention of local and then eventually national journalists, with glowing profiles written in *Willamette Week*, *The Portland Tribune* and *the Oregonian* followed by *Bloomberg CityLab*, *VICE* and even *The New York Times*, who wrote that the youth's "demonstrations are having an impact."¹

Regardless of your opinion about our organization's goals, surely one can recognize that these teenagers deserve tremendous credit for their role in elevating discussion about the relationship between transportation policy and climate action, to an extent that adults and professionally funded nonprofit advocacy orgs have for decades have been unable to accomplish. These young people and their willingness to use peaceful protest to participate in the democratic process should be cherished and celebrated and heard by policymakers, not shunned or legally challenged.

No More Freeways joins groups like the ACLU, Civil Liberties Defense Center, the Oregon Chapter of the Sierra Club, Sunrise PDX, Breach Collective, and many more organizations in expressing grave concern that HB 2772 provides new pathways to stigmatize and even criminalize these forms of righteous dissent by providing pathways for bad faith actors to accuse or suggest that youth climate leaders are "domestic terrorists." Horrifyingly, we have seen similar protests calling attention to the grave

¹ "Can Portland Be a Climate Leader Without Reducing Driving?" *The New York Times*.
<https://www.nytimes.com/interactive/2022/04/21/climate/portland-emissions-infrastructure-environment.html>



injustice and irreparable harm we are causing our planet receive similar charges in states across the country that have passed similar laws criminalizing activism.²

We now have decades of well-documented and publicly available information about the abuse of terrorism laws across this country. Assurances from bill sponsors that the bill could not be abused run contrary to the lived realities of many whose rights and reputations were trampled on for political or ideological reasons. If Oregon legislators wish to pursue this policy path, they should at least pause progress on this bill and do an appropriate level of outreach to include the voices of Oregonians who have disproportionately suffered the impacts of over-policing, including BIPOC communities, houseless individuals, and activists.

Please oppose House Bill 2772.

² See, i.e. Sadasivam, Naveena, “A new bill in Oregon could target environmental protestors as terrorists”, *Grist* (April 21, 2023). Available at: <https://grist.org/protest/oregon-critical-infrastructure-bill-terrorism/>