



TINA KOTEK  
GOVERNOR

August 4, 2023

The Honorable Rob Wagner  
President of the Senate  
S-201 State Capitol  
Salem, OR 97301

The Honorable Dan Rayfield  
Speaker of the House  
H-269 State Capitol  
Salem, OR 97301

Re: House Bill 2772

Dear President Wagner and Speaker Rayfield,

Today, I am signing House Bill 2772, which creates the new crimes of Domestic Terrorism in the First and Second Degrees. This new law addresses shortfalls in Oregon's criminal laws regarding intentional damage or destruction of critical infrastructure and other harm targeted at more than fifty people.

I have received feedback from Oregonians about the potential for unintended consequences from House Bill 2772. These concerns include use of the bill to target political protestors, collateral consequences from the designation of "domestic terrorist" for those convicted of the new crimes, and the possibility of disparate impacts on communities of color. The bill's proponents attempted to address these concerns by narrowing the class of people who can be prosecuted to those who intend to cause "widespread" harm to others or "widespread" damage to critical infrastructure, among other safeguards. I greatly appreciate this dialogue and response.

I have directed the Criminal Justice Commission to monitor the use of the new crimes created in House Bill 2772—from arrest through conviction—and to report back to my office. This should provide a data-informed means to evaluate concerns. My office has had productive conversations with the bill's proponents, and I appreciate their commitment to pursuing amendments at a future legislative session if necessary.

We must work together to ensure that Oregon's criminal justice system delivers on its promises of public safety, fairness, and transparency.

Sincerely,

Governor Tina Kotek

TK:smg

cc: Representative Paul Evans  
Senator Floyd Prozanski  
Representative Jason Kropf  
Ken Sanchagrin, Executive Director, Criminal Justice Commission