



Police Roadblocks Don't Weaken our Bill of Rights: Oppose HJR 25

Take Action: Don't Weaken Our Constitution's Privacy Protections

HJR 25 is a constitutional amendment designed to weaken the Oregon Bill of Rights "search and seizure" provision, Article I, section 9, the Oregon guarantee of privacy.

Oregon Constitution: Search & Seizure

Article I, section 9 states: "No law shall violate the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search, or seizure; and no warrant shall issue but upon probable cause, supported by oath, or affirmation, and particularly describing the place to be searched, and the person or thing to be seized." This provision was part of our Constitution approved by the people in 1857 and effective since statehood in 1859. **It has not been amended in the 152 years since.**

Importance of our Bill of Rights

Like the federal Bill of Rights, the Oregon Bill of Rights is premised on the belief that it is necessary to protect the people against government infringement of our fundamental rights. These basic rights should not be subject to a popular vote, especially when that vote asks us to weaken this fundamental safeguard against government intrusion.

Oregon Constitution prohibits roadblocks

In 1987, the Oregon Supreme Court held that the law enforcement use of roadblocks to randomly stop hundreds of innocent drivers in order to search for a few who may be intoxicated is an unconstitutional search and seizure in Oregon in violation of Article I, section 9. The Court stated "some procedures may invade the personal freedoms protected from government interference by the constitution. Roadblocks are seizures of the person, possibly followed by a search of the person or the person's effects."

HJR 25 asks us to weaken one of the core provisions of our Oregon constitution for the first time in order to allow police to use roadblocks.

Roadblocks Are Not Effective

Roadblocks waste scarce law enforcement resources by diverting dozens of officers from routine patrols in order to stop and question thousands of innocent people. In the meantime, the intoxicated drivers who actually pose a danger to the public can easily avoid these visible and well-advertised roadblocks.

Law Enforcement Currently Has Tools

Oregon law enforcement officers already have effective tools available that do not violate the Oregon Constitution. These include saturation patrols (intensive multi-car patrols) and strong public education and awareness. Saturation patrols have been shown to be a more effective tool to identify and catch drunk drivers and at a lesser cost.

In addition, because saturation patrols can be used on highways and in locations where it's not safe to set up roadblocks, saturation patrols allow police to patrol for and stop other reckless activity, such as distracted drivers, making our roads safer for all of us.

We can aggressively pursue drunk drivers and other reckless drivers without weakening the Oregon Bill of Rights and undermining our right to privacy.

**DON'T WEAKEN THE OREGON
BILL OF RIGHTS:
SAY "NO" TO HJR 25**