

# Protect Free Speech and Safe Streets Act

**1 Print** (And STAPLE!)

Print out both pages on plain WHITE printer paper.

After printing, you MUST STAPLE both pages together before submitting!

Do not sign more than one sheet for this measure (IP-11).

**2 Sign** (TWICE!)

Sign the "Request" AND "Certification" portions. Then fill out date, name, and address.

Use the same signature you used when you registered to vote... or the one on the back of your Driver License! Use the address where you receive your ballot.

**3 Send**

Return the stapled sheets to:

**Ridgelark Strategies: Petitions**  
**1980 Willamette Falls Drive**  
**#120-293**  
**West Linn, OR 97068**

It's OK to put more than one response in the same envelope!

## Electronic Signature Sheet | State Initiative

Print on white paper which indicates you are not a paid circulator.

SOME circulators  NO circulators for this petition are being paid.



Petition ID

11

November 8, 2022  
General Election  
SPONSORSHIP

**Text must be attached at all time. Do not sign if text is not attached to this sheet.**

### Chief Petitioners

Jeff Barker  
18340 SW Monte Verdi Blvd  
Beaverton, OR 97007

Anil Karia  
3117 NE 32nd Avenue  
Portland, OR 97212

Daryl Turner  
21787 NE Larkspur Lane  
Fairview, OR 97024

**Warning!** It is against the law for you to sign another person's name under any circumstances, sign a petition more than one time, or sign a petition when you are not qualified to sign it.

**Instructions** Only sign this petition if you are an active registered vote in Oregon and you personally printed this sheet or requested someone else print it for you.

- 1 You must sign both the request for the petition to be placed on the ballot and the certification.
- 2 Sign your name, as you did when you registered to vote.
- 3 Fill in the date, print your name and residence address. Only you may complete this optional information.

**Request** I request the text of this prospective initiative be forwarded to the Attorney General for preparation of a ballot title.

SAME PERSON

Signature \_\_\_\_\_ Date Signed mm/dd/yy \_\_\_\_\_

**Certification** I certify that I personally printed a copy of this sheet or requested a separate person print a copy so that I may sign it.

Signature \_\_\_\_\_ Date Signed mm/dd/yy \_\_\_\_\_

Print Name \_\_\_\_\_ Residence Address street, city, zip code \_\_\_\_\_

**Sheet Number**  
Completed by Chief Petitioner  
LEAVE SHEET NUMBER BLANK

**Be It Enacted by the People of the State of Oregon:****SECTION 1.** The people of Oregon find that:

- (1) The ability to speak freely is a fundamental right held by all Oregonians;
- (2) Protests and demonstrations are vital parts to a vibrant democracy and a core feature of the freedom to speak;
- (3) All Oregonians are entitled to use the public streets and sidewalks; and
- (4) Localities must balance the rights of all individuals wishing to speak and use the public streets using reasonable time, space and manner regulations that meet all constitutional safeguards and are enforced without fear or bias.

**Creating Safe Streets for Free Speech**

**SECTION 2.** (1) Notwithstanding any other provision of Oregon law, each County, City or other municipality shall create a comprehensive plan for allowing peaceful demonstrations and protests to occur on public streets and sidewalks.

(2) This comprehensive plan shall include constitutionally sound and reasonable regulations that balance the interests of maintaining robust public discourse with ensuring that the rest of the public has the ability to navigate the jurisdiction, use its public streets and sidewalks, and obtain sleep at reasonable hours of the night

(3) This comprehensive plan shall include, at a minimum, the following reasonable time, space and manner restrictions that shall be immediately enforced at all times unless constitutionally prohibited:

(a) A prohibition on public gatherings which create noise that can be heard one block or one-quarter mile away from the gathering after the hour of 10:00pm in a residential neighborhood or after the hour of 12:00am at any location, until the following morning;

(b) A prohibition on the creation of blockades and other barriers that prevent the normal use of the sidewalks and streets by the public;

(c) A prohibition on the destruction of any public or private property;

(d) A prohibition on the setting of any fires in any location not specifically designed for a fire to be set; and,

(e) A prohibition on the possession or use of riotous agents by the persons present at a public gathering that has been declared an unlawful assembly. Localities may define riotous agents but shall include at least:

- (A) Fireworks;
- (B) Flammable explosives; and,
- (C) Laser Pointers.

(4) This comprehensive plan shall prohibit the imposition of fees or permitting for a lawful protest or demonstration to occur. The plan may allow for fees or permitting if the protest or demonstration wishes to request the services of the locality in facilitating its protest or demonstration.

(5) No comprehensive plan may regulate or prohibit protest or demonstration activity based on the nature of the speakers or the content of the speech.

(6) The comprehensive plan shall include provisions that require law enforcement personnel who interact with a protest or demonstration to prominently display identification information that will facilitate identification of the law enforcement personnel for the filing of complaints.

(7) The comprehensive plan shall include detailed policy on what types of munitions and/or crowd control use of force may be implemented by law enforcement agencies interacting with demonstrations and/or protests and under what general circumstances such munitions and/or crowd control use of force will be permitted.

(8) The comprehensive plan shall include detailed policy describing under what general circumstances a protest and/or demonstration will be declared and unlawful assembly and/or riot

**SECTION 3.** (1) Notwithstanding another other provision of Oregon law, a municipality that fails to enforce the comprehensive plan to protect free speech and safe streets is liable to any citizen affected by the municipalities' inaction and may bring a cause of action under this section for damages.

(2) Damages shall be the greater of actual damages or \$1,000 whichever is greater

(3) It shall be sufficient proof that a citizen was affected by the municipalities' inaction if the citizen presents evidence that they were located within one block or one-quarter mile away from the gathering when the failure to enforce the comprehensive plan occurred

(4) Courts shall be authorized to issue injunctive and declaratory relief to ensure the comprehensive plan is enforced by the municipality and may issue any contempt orders necessary to gain the compliance of any individual public officer who fails to ensure the comprehensive plan is enforced.

**SECTION 4.** In any action brought pursuant to Section 3 of this Act:

(1) A court shall award reasonable attorney fees and costs to a prevailing plaintiff. In actions for injunctive relief, a court shall deem a plaintiff to have prevailed if the plaintiff's suit was a substantial factor or significant catalyst in obtaining the results sought by the litigation.

(2) When a judgment is entered in favor of a defendant, the court may award reasonable costs and attorney fees to the defendant for defending any claims the court finds frivolous.

**SECTION 5.** A civil action pursuant to Section 3 of this Act must be commenced within 3 years after the cause of action accrues.

**IMPORTANT:**

**This page MUST BE STAPLED to the sheet that has your signature on it.  
(Be sure to attach it to the signature sheet with "11" in the upper right.)**