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**Broad Coalition of Organizations Sue Feds for Use of Chemical Weapons in Portland**

Environmental, public health, and social justice groups file legal challenge against DHS citing lack of analysis on impacts of teargas to human health and the environment

**Portland, OR** - With no regard for health or safety, the federal government blatantly violated federal environmental law when it flooded Portland and the surrounding communities with an unprecedented amount of dangerous chemical weapons, a lawsuit filed today by a broad coalition of environmental justice and civil rights advocates alleges.

Represented by the attorneys from ACLU of Oregon, Cascadia Wildlands, Willamette Riverkeeper and Markowitz Herbold, a broad coalition of environmental justice and public health organizations, including Neighbors for Clean Air, Northwest Center for Alternatives to Pesticides, Cascadia Wildlands, 350PDX and Willamette Riverkeeper have filed a legal challenge against the Department of Homeland Security (DHS) today. The lawsuit cites the federal agency's failure to analyze the potentially severe human health and environmental impacts before deploying chemical munitions against anti-racist protesters in Portland as required by the National Environmental Policy Act (NEPA). The organizations seek a court order forcing the DHS to halt their use of chemical munitions, including tear gas, until the DHS performs a thorough analysis of the health and environmental impacts of these chemicals, and makes this information available to the public.

**Kelly Simon**, Interim Legal Director with ACLU Oregon, said:

“Environmental justice is racial justice. We all have a right to a safe and healthy community. Environmental hazards and police violence disproportionately deny that right to Black, Indigenous, Latinx and other people of color. The large volumes of tear gas and other chemical weapons that federal officers recklessly and thoughtlessly unleashed in Portland is yet more evidence of the Trump administration's racist disregard for public health and a safe living environment. So we will see them in court, again.”

**Indi Namkoong**, Coalition Manager with 350PDX, said:

"I've been on the ground facing tear gas and police brutality for months because racial justice and climate justice are faces of the same struggle for a just and livable future, one that as a young person of color I expect to be in all my life. The price of justice shouldn't be further harm to public health and to the Black, Indigenous, and other people of color who are already out here

fighting for their lives. Everyone has a right to know the impacts of the toxic chemicals we're being subjected to by our government."

**Ashley Chesser**, Executive Director with Northwest Center for Alternatives to Pesticides, said:

"Pesticides originated as tools of war before being used to kill insects and continue to play a role in violence against Black, Indigenous and People of Color and those protesting racist acts. Protesters are not pests and the prolonged use of pesticides and similar chemicals to disperse a crowd, without knowing the consequences, is unacceptable. We don't have any idea what repeated exposure to tear gas does to human health or the environment. DHS had a legal duty to research this before they started gassing Portland, and they may have caused significant harm by failing to do so. We want to ensure no other city shares Portland's pain."

This lawsuit comes after anti-racist Black Lives Matters protesters in Portland have been demonstrating in the streets for over 125 days in response to the murder of George Floyd this May, and regularly being subject to massive, indiscriminate deployments of teargas, pepper spray, and other chemical munitions including toxic smoke grenades linked to cancer and kidney and liver damage. The federal government's consistent, high-volume use of these chemicals has raised concerns about the possible health impacts of repeated, concentrated exposure, and has [reportedly](#) caused loss of appetite, hair loss, and irregular menstrual cycles among those exposed. Chemical munitions and residue has remained in downtown Portland long after deployment, accumulating on vegetation, on buildings, and in the streets. This has raised concerns that the stormwater system is conveying chemicals, which may contain aquatic toxicants, to the Willamette River, potentially impacting water quality, wildlife habitat, and recreational users.

**Elisabeth Holmes**, Willamette Riverkeeper's Staff Attorney said:

"For months we have tried other avenues to obtain the information the public is entitled to under the law, but have been denied at every turn. Disclosure and scientific analysis is the minimum requirement. It is a pretty low bar, but DHS has completely flouted its responsibility."

**Brenna Bell**, a volunteer member of Cascadia Wildlands, said:

"As a street protester for racial justice, I know firsthand the harmful impacts of toxic tear gas and other chemical warfare to my body, and the body of so many other Portlanders. What none of us knows is the extent that harm has caused and will continue to cause to our health, and to the environment."

### **Background and Resources**

Photographs of Federal agents using chemical weapons including tear gas on protesters in Portland are [here](#). Media may use these photographs with credit to Doug Brown, ACLU of Oregon.

Read more about the investigations into the human and environmental impacts of chemical munitions [here](#). Read more on the police repression of Black Lives Matters protests in Portland [here](#). Read about other ongoing litigation around the use of teargas and other chemical munitions [here](#). Read in-depth reporting on the Fed's use of toxic smoke bombs [here](#).

Representative members of the co-plaintiff organizations may be available for comment and may grant interviews on request. For further information, to request copies of court documents or to arrange interviews, please contact Dylan Plummer, [dylanplummer310@gmail.com](mailto:dylanplummer310@gmail.com), 541.531.1858.

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