



Mental Health Issues in Indian Country and the need for SB 297A

Chair Williamson and members of the House Judiciary Committee,

My name is Woodrow Star. I am a member of the Board of Trustees of the Confederated Tribes of the Umatilla Indian Reservation and I spent my entire career in law enforcement. I am here today with Naomi Stacy, the Tribe's lead attorney, who has worked closely with the State on this issue.

There are several Tribal members in our community who have extreme mental health issues. These individuals routinely commit crimes and pose a danger to themselves or others.

This session we have been advocating for increased investments in mental health services because everyone deserves access to treatment in their own community. We also proposed Senate Bill 297A to give us a tool to help people in our community now.

SB 297A would add tribal judges to the magistrates who can issue notices to a community mental health program to initiate commitment procedures under ORS 426.070. This is a simple fix to clarify tribal judges can initiate the state's existing procedures.

In addition, the CTUIR is seeking to ensure every tribe can access the existing system under ORS 426.180 entitled "Emergency commitment of individuals in Indian country." As written, that chapter only applies to tribes that are **not** subject to state civil jurisdiction under PL-280. Consequently, it is only available to the Warm Springs and Burns Paiute tribes. This statute allows a tribal court to issue an order finding an individual is a danger to themselves or others. Once issued, the individual can be taken to a hospital or nonhospital facility for observation. At that point the hospital notifies the community mental health program director to initiate the involuntary commitment process and they are to keep the tribe apprised of all actions regarding the case.

One example we are presently dealing with highlights the need for a workable system that allows Tribes more direct access to the state's involuntary commitment system.

One individual had 8 arrests in one year, including an incident where they had a psychotic break in which they "played the role" of both victim and perpetrator in a domestic violence assault that concerned neighbors who then reported the incident to police. A tribal judge attempted to issue a Magistrate's Notice of Intention of Commitment Procedures under ORS 426.070 - but because tribal judges are not specifically listed in the statute - it caused confusion and delayed the process. This person continues to be in need of treatment, and we continue to be unable to directly engage the state's system through tribal court order.

SB 297A will provide a partial fix – not by creating a new system, but by allowing avenues of engagement not previously available to all tribes.

Thank you for your time and willingness to listen to our concerns. We respectfully request your support for SB 297A to assist us in meeting our community's mental health needs.