

June 25, 2020

Joint Committee On The First Special Session of 2020 j1ss.exhibits@oregonlegislature.gov

We write as members of the NATIONAL ALLIANCE ON MENTAL ILLNESS of Southern Oregon. We are persons and loved ones of persons with mental illness. Some of us or our family members have experienced multiple police contacts, arrests, and periods in jail and prison as a direct result of mental illness.

We strongly favor the six bills on police accountability now before the Legislature. We urge you to pass strong, effective versions of these bills that will leave no loopholes for police officers or police agencies to get away with harming, killing or discriminating against people of color or people with mental illness, addiction or houselessness:

1. Loopholes to avoid include unfunded mandates. Lack of resources should not be a reason that a police agency cannot live up to the law's intent to act transparently. Funding levels must make it possible for agencies to do the right thing to protect life and civil rights in all cases.
2. Regarding SB 1604 and making a disciplinary guide the subject of collective bargaining with police unions, we want a Reasonable Person standard that is the same for police as for civilians. That standard must supersede collective bargaining. It must be law.
3. Investigations into police behavior must be timely and transparent. Transparency means to us that the information is publicly reported and easy for members of the public to access.

We are also aware that the six bills so far introduced, while vital to public safety, are not enough. Here are a few concepts that must also be included for real transformation:

1. End the qualified immunity doctrine for police in cases involving mental illness as well as racial discrimination.
2. Require video recorders for all policing.
3. Include all police officer communications (texts, WhatsApp, messenger) as part of the standard discovery by the Attorney General's office.
4. Require de-escalation training not warrior training for police.
5. Establish non-police mobile teams in every county to respond to crises involving homelessness, intoxication, disorientation, substance abuse, and mental health, similar to the CAHOOTS (Crisis Assistance Helping Out On The Streets) program in Eugene/Springfield (<https://whitebirdclinic.org/services/cahoots/>) and the new Community Safety Department in Albuquerque, NM (<https://www.kob.com/albuquerque-news/mayor-keller-announces-creation-of-albuquerque-community-safety-department/5760086/>).
6. Ensure that the role of mental illness in fatal police shootings is identified and reported in government data collection.
7. Require robust data collection on police-community encounters, including use of force, as it prohibits racial profiling and identifies mental illness status.

Finally, we urge you to consider the impact of mental illness on law enforcement interactions with our communities. This is a huge impact:

Mental Health by the Numbers

- 19.1% of U.S. adults experienced mental illness in 2018 (47.6 million people). This represents 1 in 5 adults.

- 4.6% of U.S. adults experienced serious mental illness in 2018 (11.4 million people). This represents 1 in 25 adults.
- 16.5% of U.S. youth aged 6-17 experienced a mental health disorder in 2016 (7.7 million people)
- 3.7% of U.S. adults experienced a co-occurring substance use disorder and mental illness in 2018 (9.2 million people)
- Annual prevalence of mental illness among U.S. adults, by demographic group:
 - o Non-Hispanic Asian: 14.7%
 - o Non-Hispanic white: 20.4%
 - o Non-Hispanic black or African-American: 16.2%
 - o Non-Hispanic American Indian or Alaska Native: 22.1%
 - o Non-Hispanic mixed/multiracial: 26.8%
 - o Hispanic or Latinx: 16.9%
 - o Lesbian, Gay or Bisexual: 37.4%

Law Enforcement Involvement

- 20.1% of people experiencing homelessness in the U.S. have a serious mental health condition
- 37% of adults incarcerated in the state and federal prison system have a diagnosed mental illness. (The actual number is likely much higher. Eastern Oregon Correctional Institution staff, for instance, reported to us that 50% of their inmates have diagnosed mental illness as of 2019. NAMI SO)
- 70.4% of youth in the juvenile justice system have a diagnosed mental illness

From NAMI website: <https://www.nami.org/mhstats>

The bills before the Special Session are an important step toward a more equitable system of policing, but they are not by themselves an adequate answer. Please commit to both immediate actions as well as developing long-range systems of social justice with community organizations led by and representing Black, Indigenous, People of Color and mental health advocates. We need the significant strengthening of the existing bills as well as the addition of a number of important measures not yet introduced.

Sincerely,

Meesha Blair, Caren Caldwell, Rich Rohde, Pam Ames, Shelby Henry, Kevin Brewer Advocacy Committee, NAMI Southern Oregon