

**Chair Bynum, Vice Chairs Noble and Power, Members of the Committee,**

My name is KC Lewis and I am the managing attorney of the Mental Health Rights Project with Disability Rights Oregon. I am also a lawyer who has lived with mental illness since childhood, and I work daily with people with mental illness and with the behavioral health professionals who treat them. I am here today to testify in opposition to House Bill 4142.

I want to begin by acknowledging the incredible work that our healthcare professionals do, particularly during this pandemic. I cannot imagine the trying circumstances under which some of them have had to work. No one should have to worry about being assaulted while they are working, least of all the people who have dedicated their careers to healing and helping others.

Unfortunately, this bill has the potential to be incredibly harmful to the members of our society who are already the most vulnerable to being mistreated by our criminal justice system. As a lawyer for the Mental Health Rights Project, I regularly field calls along these lines: a person in mental health crisis goes to a hospital, seeking help. Someone at the hospital doesn't like their appearance or behavior, and calls security. The person in crisis panics when confronted by someone in a uniform, and struggles with them as they attempt to remove them.

Under current law, that person is already pulled into the justice system, with all of the attendant harm that that visits upon someone with mental illness. This bill would only deepen that harm. A person with a felony charge is much less likely to be able to receive the supports and services that they need for their mental health. With the current backlog at our State Hospital, this means a lengthy wait in jail decompensating while receiving little to no mental health treatment. By the time they are even competent to stand in front of a judge, a person with mental illness will often have spent far more time in confinement than they ever would have received for the underlying crime, even if that crime is a felony.

The people who would be harmed by this law don't want to hurt anyone. They don't choose to be in crisis. An increased penalty can't deter someone who doesn't have control over their thoughts or actions, and a longer time spent in jail or prison or the State Hospital will only make their underlying issues worse. We absolutely need to take care of our health care professionals, particularly those who take on the difficult and rewarding work of helping people with mental illness. But we cannot do it by furthering the harm we already inflict on those who are desperately seeking help for their mental illness. I ask you to vote no on this bill, and will happily support any alternative efforts to honor and protect our health care professionals.

Sincerely,  
KC Lewis

Managing Attorney, Mental Health Rights Project