



December 3, 2023

Dear Co-Chair Lieber, Co-Chair Kropf, and Members of the Joint Committee,

Thank you for the opportunity to submit written testimony to the Joint Committee on Addiction and Community Safety Response.

My name is Chris Wig, and I serve as Executive Director of Emergence Addiction and Behavioral Therapies. Emergence provides substance use, mental health, disordered gambling, and interpersonal violence treatment. I live in Springfield, where I am well represented by Sen. Prozanski and Rep. Lively. Emergence serves people in Lane and Linn Counties, and our service area is represented in the Oregon Senate by Sen. Anderson, Sen. Gelsler Blouin, Sen. Hayden, Sen. Manning, and Sen. Prozanski, and the Oregon House by Rep. Boshart Davis, Rep. Cate, Rep. Conrad, Majority Leader Fahey, Rep. Gomberg, Rep. Holvey, Rep. Lively, Rep. Nathanson, Speaker Rayfield, and Rep. Wright.

The community conversation about Measure 110 appears to have swallowed up all the various conversations about substance use and public safety. I feel grateful for your work sorting through the many ideas offered by thoughtful and engaged community members with groups like Oregon Recovers, the Coalition to Fix and Improve Ballot Measure 110, and the Health Justice Recovery Alliance. All of these folks have good ideas, and I expect the ideas around which consensus is forming—enacting criminal penalties for public use, fixing the delivery statute undermined by the Hubbell decision, and funding evidence-based treatment programs for justice-involved individuals—will make a difference.

Because of funding from Measure 110, people who were unable to access treatment and support services before are now getting help through the Behavioral Health Resource Networks (BHRNs). However, other people who were previously getting help through referrals provided by the justice system have been left to fend for themselves. It is my hope that we can maintain the treatment provided by BHRNs and resume our commitment to the principles of therapeutic jurisprudence to help people who have committed crimes to find recovery.

One of the most unfortunate untruths to spring from the community conversation about Measure 110 is the idea that court-mandated treatment is somehow less effective than “voluntary” treatment. Research does not support that conclusion.

The principles of therapeutic jurisprudence inform us of the importance of using objective criteria to determine eligibility for programs like treatment court or alternative to incarceration programs. The idea that court-mandated treatment is ineffective is built upon an assumption that a person must be intrinsically motivated to benefit from treatment, but “treatment readiness” is subjective. Inability to quit using is one of the 11 diagnostic criteria for substance use disorder, and skilled treatment professionals are trained to use motivational interviewing to assist the person to explore their own ambivalence toward substance use and progress toward recovery.

On the contrary, there exists a substantial body of research that proves the effectiveness of court-mandated treatment. For example:

- “The therapeutic jurisprudence model posits that legal rules and procedures can be used to improve psychosocial outcomes, an idea supported by a growing research consensus that coerced treatment is as effective as voluntary treatment. A number of studies have found that drug treatment court participation reduces recidivism rates.”¹
- “However, more recent studies show that treatment does not need to be voluntary to be effective. For example, research has demonstrated that substance abusers who are court ordered to treatment did as well as or better than those who entered voluntarily... It should be noted that even offenders who enter treatment voluntarily may face pressure from family, friends or employers to comply with treatment. Court-mandated offenders may also feel coercion from these other sources.”²
- “In this study, individuals referred through the criminal justice system as a group had significantly better substance abuse treatment outcomes than did their non-referred counterparts... The finding of equal or better performance in those referred to treatment through the criminal justice system is consistent with a substantial body of previous literature and supports the conclusion that coerced treatment can be as beneficial as voluntary treatment.”³

¹ Bhati, A.S., Roman, J.K., & Chalfin, A. (2008). *To treat or not to treat: Evidence on the prospects of expanding treatment to drug-involved offenders*. Washington, DC: Urban Institute.

² Coviello, D. M., Zanis, D. A., Wesnoski, S. A., Palman, N., Gur, A., Lynch, K. G., & McKay, J. R. (2013). Does mandating offenders to treatment improve completion rates? *Journal of Substance Abuse Treatment, 44*(4), 417–425.

³ DeFulio A., Stitzer M., Roll J., Petry N., Nuzzo P., Schwartz R. P., Stabile P. (2013). Criminal justice referral and incentives in outpatient substance abuse treatment. *Journal of Substance Abuse Treatment, 45*(1), 70-75.

- “These findings suggest that the motivating influence of treatment mandates may encourage completion of SUD treatment among older adults. Although the legal mandates for treatment are punitive, they may act to keep older adults with SUD engaged in treatment, an important factor as treatment completion is inversely related to relapse of a SUD.”⁴
- “Using legal mandates to leverage treatment engagement seems to prevent premature drop out, reduces noncompliance with treatment recommendations, and overall ensures longer participation in the treatment process. Stipulating treatment for non-violent offenders during their involvement within the criminal justice system would allow for a decrease in addiction behaviors and ultimately lead to a decline in criminal behaviors and deaths by overdose, thereby improving public well-being.”⁵

To address the harms caused to our community by substance use disorder, we must incentivize a culture of recovery. When I have sought feedback from colleagues who are in recovery from substance use disorder and have lived experience of criminal justice system involvement, I often hear the first steps toward recovery were taken after receiving a mandate to attend and complete a treatment program.

Thank you again for the opportunity to submit feedback for your consideration. I look forward to working with to build a safer and healthier Oregon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chris Wig', with a large, sweeping flourish at the end.

Chris Wig
Executive Director
Emergence Addiction & Behavioral Therapies

⁴ Pickard, J. G., Sacco, P., van den Berk-Clark, C., & Cabrera-Nguyen, E. P. (2018). The effect of legal mandates on substance use disorder treatment completion among older adults. *Aging & Mental Health*, 24(3), 497–503.

⁵ Lucabeche, V. X., & Quinn, P. V. (2022). Court-Mandated Treatment Outcomes for Prescribed Opioid Use Disorder: A Gender Based Study. *Journal of Drug Issues*, 52(1), 47-66.