

I was unable to testify formally so I am submitting the following written comments:

GOOD AFTERNOON CO-CHAIR LIEBER, CO-CHAIR KROPF, AND MEMBERS OF THE COMMITTEE, my name is Chris Behre. I have been a public defender for over a decade and have worked in the Multnomah county treatment courts for over 3 years, first in START court and now in STEP court. During this time I have observed that treatment courts are a solution for those suffering from substance use disorder (SUD) only when society has run out of other therapeutic options and there is an actual risk to public safety. START court and STEP court have had success specifically because their participants have been convicted of serious felonies related to their substance use, and then the courts had the option to divert them to intensive supervision and treatment as an alternative to substantial prison sentences.

Treatment courts work because they treat the addiction as a medical need. They know that when people suffering from the disease of SUD are locked up merely for being symptomatic and using substances, the participants' response will be to run and hide and sink further into their addiction. These treatment court programs work because they require their participants simply to show up and be honest and then provide many incentives to participate.

But treatment courts, as part of the criminal legal system, work only if they have a significant consequence for failing to participate. SUD is a powerful driver of behavior. It is the external threat of significant prison that overcomes the disorder and pushes someone to engage in treatment. And for some, even that is not enough to pull them from their addiction. That is why treatment courts and the criminal legal system in general cannot meaningfully address addiction through the prosecution of low-level possession. The threat of a misdemeanor conviction or some jail time is wholly insufficient to motivate someone deep in their addiction to engage in treatment. It has not worked in the past, and it will not work in the future. Thank you.

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