



TO: House Committee on Judiciary
FROM: Disability Rights Oregon
DATE: February 21, 2023
RE: Opposition to HB 2405

Chair Kropf, Vice-Chairs Andersen and Wallan, and Members of the Committee,

Disability Rights Oregon is opposed to the passage of HB 2405

Under this proposed bill, a person who is simply travelling through County A and is found unable to aid and assist, sent to the Oregon State Hospital, and then discharged will have to travel back to that county in order to have their case dismissed. That might work for many of the individuals in the aid and assist process.

But, there will be many for which this will present a financial and emotional burden. For instance, there might be an individual who is arrested in Curry County, but has no ties to that county. Maybe they live in Washington County. This bill would require that Curry County transport them across the state for the charges to be dismissed and then this individual will be stuck hundreds of miles from their home without the resources to return back to where they live and receive their services.

Additionally, this bill does not account for individuals for which services are obtained by the Oregon State Hospital in other areas of the state. That individual might have a placement arranged in Multnomah County that is well suited for their recovery, and now they will have to be transported to Curry County and somehow find a way back to the location of their treatment location.

This proposal is a problem because the site of someone's arrest may not be their home county and might not be the county where they could find housing and mental health supports. If someone was passing through Curry County and got arrested, but they have ties to Bend, a place they could live in Bend, and MH

resources in Bend, it makes no sense to drive that person to Curry County and make it harder for them to find housing and supports. Our policies on where people go after release should focus on where they want to go and where they have housing, family, and other supports.

We understand the fear of those in Marion County – that folks will be discharged from the hospital and remain in their county. But we believe that the bigger burden, if this bill passes, will be on the backs of people with mental illness who will be returned to places where they are stranded without the resources to return home or to the place where they can get help.

For these reasons, DRO opposes HB 2405 as it will create multiple barriers to the safe and effective placement of people with disabilities in the community.

Thank you for your time.

About Disability Rights Oregon

Since 1977 Disability Rights Oregon has been the State's Protection and Advocacy System.¹ We are authorized by Congress to protect, advocate, and enforce the rights of people with disabilities under the U.S. Constitution and Federal and State laws, investigate abuse and neglect of people with disabilities, and “pursue administrative, legal, and other appropriate remedies”.² We are also mandated to “educate policymakers” on matters related to people with disabilities.³

If you have any questions regarding DRO’s position on this legislation, please call Meghan Moyer at 503-432-5777 or email her at mmoyer@droregon.org.

¹ See ORS 192.517.

² See 42 U.S.C. § 15041 et seq; 42 U.S.C. § 10801 et seq.

³ See 42 U.S. Code § 15043(a)(2)(L).