



CITY OF BEND

February 7, 2024

Sent via email to: Co-Chairs Representative Kropf and Senator Lieber

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Joint Committee on Addiction and Community Safety Response,

We extend our gratitude for you and your colleagues' dedication and hard work in formulating an initial draft solution to address public safety concerns and to enhance treatment accessibility specific to the impacts of Ballot Measure 110. We acknowledge the necessity for changes and commend your efforts in navigating these complex issues. We are writing on behalf of the City of Bend to express our perspective on the proposed "fixes" to Ballot Measure 110, as well as to highlight certain concerns that we believe require careful consideration prior to moving forward.

First, we align with the proposed legislative changes such as recriminalization and we support a comprehensive healthy debate in the legislature on whether an A misdemeanor may be more suitable than a C misdemeanor. Additionally, we align with the rectification of the distribution of a controlled substance law in Oregon, where the Courts have now held that possession alone of a large amount of drugs is not enough to provide evidence of intent to deliver. We also align with the emphasis on routing individuals to treatment with minimal criminal justice intervention when people choose that path.

However, we would like to bring to your attention several concerns that warrant careful considerations:

1. Impacts on our Police Department:
 - a. The implementation of a deflection program, as currently defined, necessitates collaboration with law enforcement. This collaboration would involve staff time for meetings and coordination with Substance Use Disorder (SUD) and Mental Health (MH) partners, resulting in a time and budget impact on our department.
 - b. The expungement process, which is currently proposed to involve our Police Department as the first point of contact for records of program completion, raises administrative workload issues. We propose redirecting this process to the District Attorney's Office, who traditionally oversees expungement processes. This change would streamline the administrative burden and align with established procedures.

2. Treatment Investment:

We strongly advocate for a robust investment in treatment and are concerned that the proposed \$30 million will fall short. To achieve meaningful impact, we propose a minimum investment of \$100 million to adequately address the immediate treatment needs across the state and a more thorough analysis on demonstrated need and capacity for the medium and long-term.

3. Coordination and Support:

It is imperative to provide careful direction and support for coordination. We recommend clarifying that the local public health authority must collaborate and support the Deflection Program. We also request that if there isn't adequate funding or if a Deflection Program is not approved or certified by CJC, there are other tools and opportunities available to law enforcement to maintain public safety, including allowing the conditional discharge diversion programs identified in the bill as an acceptable path to treatment and expungement. Additionally, we emphasize the need for investment in administrative work and coordination, and that such costs be explicitly allowed in the funding provided for deflection programs (including any grants).

4. Sobering Center Concerns:

We have reservations about allocating funds to the Deschutes County stabilization center for SUD treatment or a sobering center role. Our stance is rooted in the belief that a sobering center is crucial for our region and should be developed independent of and in addition to our stabilization center. In response to today's crisis, sobering centers necessitate medically qualified staff to attend to individuals under the influence of a substance like fentanyl or methamphetamine, including secure rooms and acute medical care. A sobering center provides an important intermediary step between law enforcement intervention and more involved, longer-term treatment, which is a critical to keeping communities and individuals safe as well as providing an opportunity to access more varied connections to resources and services that respond to someone in crisis.

In light of these concerns, we are not taking a position on HB4002 as written. We are hopeful that through the legislative process many of these concerns will be addressed. We are committed to helping find a path forward that will serve our community and are available to provide further local perspective and information as needed. Thank you again for your work on a difficult issue that is affecting Oregonians across the state.

Sincerely,



Melanie Kebler
Mayor of Bend