



February 7, 2024,

Dear Co-Chairs Lieber and Kropf, and members of the Joint Committee on Addiction and Community Safety Response,

Oregon AFSCME Council 75 urges you to consider the resources necessary to carry out the dash one amendment of House Bill 4002, centered around recriminalizing the unlawful possession of a controlled substance. If passed, HB 4002 will require significant resources and investments for both public defenders and behavioral health workers, who we represent, that are not outlined in the current state of the bill.

Oregon's public defense system is already in crisis. Our state is under a federal court order to release people with serious charges due to the lack of public defenders. HB 4002 could bring thousands of new people to the caseload, furthering the backlog of unrepresented persons in the state. Oregon's public defenders are already overworked, and a lack of investment in their workforce and pay before the passage of HB 4002 will increase burnout and unsustainable caseloads for our members.

HB 4002 would also punish individuals for the state's failure to adequately fund treatment centers. Recent research from the Oregon Health Authority found that Oregon has an acute shortage of treatment for substance use disorders and withdrawal management, with a projected need for almost 2,200 new beds. Our current behavioral health system cannot sustain the increased load of patients that would emerge as a result of HB 4002. While giving individuals a chance to deflect from the criminal justice system and pursue behavioral health treatment is a great idea, we do not currently have the systems to support this practice.

Not only do we lack the necessary resources for an influx of patients in the behavioral health arena, but we also lack safety plans to keep behavioral health workers safe. Behavioral health facilities are often understaffed and lack safety plans to keep workers safe in the event of an emergency. Oregon AFSCME member, Hayley Rogers, was scheduled alone for an overnight shift at Cascadia Health this summer where she was tragically murdered by her patient. Before increasing the number of individuals in our behavioral health system, it's important for the state to not only build up the behavioral health workforce to support safe staffing levels, but to implement safety plans in case of emergency.



HB 1594 works to support safety by requiring behavioral health facilities to have a safety plan in place. If the state lacks safety plan requirements in our behavioral health facilities, we risk losing the lives of more members like Hayley.

While we support the effort to include behavioral health provisions in HB 4002, local access to treatment services is not equitable or where it needs to be to carry out the deflection process of the bill. We would require **expansive** and **historic investments** to properly implement HB 4002 in multiple areas including, but not limited to:

- Behavioral health workforce staffing development and safety
- Public defender workforce staffing development and caseloads standards
- Treatment beds
- Withdrawal management services i.e. detox facilities, sober housing facilities

Please consider the plausibility and potential impact of amendment dash one of HB 4002 with the current state of our public defender and behavioral health workforces.

Thank you for your consideration,

Oregon AFSCME Council 75