

Submitter: Magena Kelly  
On Behalf Of: No on recriminalization  
Committee: Joint Committee On Addiction and Community Safety Response  
Measure: HB4002

Dear Oregon Lawmakers,

I am submitting written testimony to oppose HB 4002 and share my serious concerns about House Bill 4002.

**IT'S COSTLY:** HB 4002 wastes taxpayer dollars on 36 new and expensive criminal system bureaucracies.

**IT'S RISKY:** Oregon has a public defender crisis. By adding thousands of people to caseloads, HB 4002 will make things worse.

**IT'S CRUEL:** Without enough access to treatment services, HB 4002 will send people struggling with addiction to jail or back on the streets where the risk of overdose and death increases. This will disproportionately impact Black and brown people, Oregonians experiencing homelessness and poverty, and rural Oregonians.

**IT'S HARMFUL:** HB 4002 will inflict more government harm and violence on Black and brown communities by recriminalizing addiction. Black and brown Oregonians will be arrested at higher rates and be most likely to face incarceration and harsher sentencing.

**IT'S DESTRUCTIVE:** Under HB 4002, someone arrested, charged, and released back on the streets will find it more difficult to get housing, government assistance, jobs, and education due to a life-damaging criminal record...just for having an addiction.

**IT'S MISGUIDED:** There has been a nearly 300% increase in new services funded by Measure 110. Despite this, Oregon is still short 50% of the capacity needed to address the need for substance use disorder services statewide. Instead of making game-changing investments to close this gap, HB 4002's relatively small expansion of local treatment services represents a drop in the bucket. More is needed. Much more. And fast.

**IT'S RUSHED:** Lawmakers aren't providing adequate time for Oregonians to read the 100+ page HB 4002 and make their voices heard. The legislature's short session is just one month long. This is a crisis decades in the making that deserves ample time for input and analysis. Too many lives are at stake to rush this bill through without room for sufficient public input.

**IT'S DEADLY:** According to a New York Times story this week, "Every region across the country shows a nearly identical skyrocketing death toll when fentanyl saturates its market...Washington State is an especially interesting example: When the state decriminalized drug possession for four months in 2021 because of a court order, overdose rates rose most sharply after criminal penalties were restored...Measure 110 allocated new spending to harm reduction initiatives that made the overdose antidote naloxone more widely available. A modeling study showed that without this change, even more lives would have been lost to fentanyl overdoses." (Full story:

<https://www.nytimes.com/2024/02/05/opinion/oregon-decriminalization-drugs-reversal.html>)

I urge you to expand treatment services, without criminalizing addiction and doing irreparable harm to the most vulnerable Oregonians.