

TO: Joint Committee on Addiction on Community Safety Response
FROM: Aaron Benjamin Girata
DATE: 2/9/24
RE: Oppose M110 Recriminalization Bills: HB 4002, HB 4036, SB 1555

Chair Lieber and Chair Kropf and Members of the Committee:

I am a criminal defense attorney and I would like to state my strong opposition to HB 4002, HB 4036, and SB 1555. I have been practicing criminal defense 2 years in Multnomah County, for 1.5 years in Marion County, and I was a prosecutor for 5 years in Tillamook County. As a criminal defense lawyer, I ask you to reject the recriminalization approach and look for more meaningful solutions that will put behavioral health services before law enforcement and the criminal justice system. HB 4002 punishes individuals for the state's failure to adequately fund treatment services. As new addiction services are finally starting to open up and crime rates post-pandemic are dropping, the legislature should focus on solutions that let mental health and drug treatment professionals help people who need and want treatment, instead of implementing controversial policies that disproportionately harm people of color and the houseless.

Recriminalization would return Oregon to the failed and harmful policies of the War on Drugs. Government has attempted to arrest our way out of this crisis for over 50 years, but it resulted in higher addiction rates, lethal and less expensive drugs on our streets, more overdose deaths, mass incarceration and disproportionate harm to Black, Brown, and low-income communities. Recriminalizing addiction will make it more difficult and expensive to address drug addiction and homelessness. Recriminalizing addiction funnels more money to law enforcement and District Attorneys, which takes money away from treatment. It will increase the risk of overdose, disrupt current treatment investments, and once again, saddle people with criminal records that can create lifelong barriers to housing, employment, education, and other services. Those are the canned words. Seriously, it didn't work before why in the world do y'all think it's going to work now. That is trying the same thing over and over and expecting different results. There is data showing criminalization doesn't work. There isn't data showing a fully funded and functional attempt at decriminalization is unsuccessful because we as a community didn't put the full force of ourselves behind the decriminalization effort.