

TO: Joint Committee on Addiction on Community Safety Response
FROM: Kendall Spinella
DATE: 2/8/2024
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 for 2 years in Portland/Multnomah 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.

I am the coverage attorney for the criminal docket which handles criminal defendants who are unable to aid and assist in their own defense due to a mental illness. **Individuals living in poverty and dealing with mental illness are extremely vulnerable to using substances on the streets to self-medicate, and substance use often prohibits people from getting the necessary mental health services that they need.** I see individuals every day who are jailed and shuttled through a system that lacks the necessary resources to support individuals struggling with mental illness OR substance abuse, much less individuals who struggle with both.

Additionally, Multnomah County local jails have been proven to be deadly this past year with 6 inmates who died in custody and 2 deputies charged with misconduct related to those deaths. Especially for individuals struggling with mental health and addiction, jails can often lead to increasing symptoms and dangerous detox conditions.

We see so many clients who want to get treatment wait in long lines to get any help. We desperately need to treat addiction as the health crisis that it is by investing money in programs and facilities to help these extremely vulnerable people rather than reverting to a system that never worked before and only causes more harm to the people in our communities.

Sincerely and with great desperation for the most vulnerable in our community,

Kendall Spinella