

Submitter: Josiah Barber  
On Behalf Of: Oregonians left out of the room  
Committee: Joint Committee On Addiction and Community Safety Response  
Measure: HB4002

I know it's tempting to try to solve the problem by just criminalizing addiction, but that doesn't solve it. Some things can be disincentivized by threat of criminal punishment, and that significantly reduces the thing -- things that largely boil down to personal choice. But for other things -- things that largely don't boil down to personal choice -- you're just punishing the victim.

Shall we criminalize having Covid-19 or the flu? That might actually incentivize people to get inoculated who otherwise wouldn't, and to take other steps like mask wearing and social distancing. It would probably actually reduce Covid-19 a bit! But it would be immoral to punish the victim, and it wouldn't help all that much.

Criminalizing addiction and drug use is a direct parallel to criminalizing infectious disease. It is immoral and ineffective.

Please be smart, please be leaders, please don't use immoral and ineffective, easy "solutions" as a political shield to claim that you're "doing something about the addiction crisis".

-

I am a constituent who is extremely disappointed and saddened to see state leaders pursue harmful criminalization policies instead of taking meaningful action to increase access to treatment services and housing for Oregonians.

Just like the hundreds of Oregonians who submitted testimony earlier this month against harmful criminalization proposals, including HB 4002 and HB 4036, I strongly urge lawmakers to follow the evidence and the data: decades of the failed war on drugs tell us that sending people to jail for having an addiction only ruins lives.

I've opposed HB 4002 from the start but I'm particularly frustrated by the -24 amendment, including the special interests behind it.

When I read that lawmakers invited prosecutors and law enforcement into closed door meetings to amend HB 4002, I knew the result would be harmful to the people left out of those "negotiations," including people with and communities with lived experience of disparities in the criminal justice system, the behavioral health system, and housing systems. Organizations representing Black and brown communities were shut out of the room.

HB 4002 -24 embraces a dangerous and damaging criminalization approach at the expense of the safety, health, and well-being of Black and brown communities. I strongly oppose HB 4002 for failing to consider the Oregonians most at-risk of over-policing and government harm: Black and brown people, Indigenous Oregonians, low-income Oregonians, and rural Oregonians.

The latest version of HB 4002 -24 creates massive inequities between counties. People who live in counties without a deflection program will face immediate HB 4002 arrests while people living just a few miles away will be offered connection to treatment. Your zip code shouldn't determine your ability to access treatment services. An easy fix to this would be to simply require all counties to set up deflection programs.

HB 4002 -24 sets deflection programs in select counties up to fail - in the same way Oregon failed to implement Measure 110. For lower income Oregonians, the shortage of public defenders means cases will be dismissed with no connection to care, but leaving people with arrest records. And HB 4002 -24 recriminalizes addiction long before deflection programs will be set up.

HB 4002 -24 also falls short of investing in Oregon's woefully under resourced mental health and drug addiction treatment services. The status quo of providing just 50% of the capacity necessary to meet the substance use disorder services needed is unacceptable. People are desperate for treatment services. That's punishment enough - putting them in jail doesn't help anyone.

We must do better. And we must do better than HB 4002 -24. At the end of the day, addiction is a health issue. Not a crime. The addiction crisis demands action, but HB 4002 -24 does more harm than good. I urge you to press the lawmakers behind HB 4002 to do better.