

Submitter: Phil Katz
On Behalf Of: Oppose Recriminalizing Drugs
Committee: Joint Committee On Addiction and Community Safety Response
Measure: HB4002

As a constituent, I am deeply disappointed that our state leaders are rushing to recriminalize drugs, and I urge you to oppose HB 4002. Instead of doubling down on failed criminalization which has never worked, you should be focusing on real solutions that will actually help Oregonians.

I've opposed HB 4002 from the beginning and the -24 amendment makes it even more concerning. 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." Black and Brown voices are being shut out of the conversation even though this bill will unfairly impact communities of color due to targeted enforcement.

HB 4002-24 abandons a health approach by treating drug use as a crime. Oregon judges have already warned that the courts can't handle the caseloads that will come from this flawed bill. Whether or not someone faces jail or gets connected to treatment will depend on their zip code and their ability to hire a lawyer. As a result, if it passes, the most common scenario is that people will be arrested and then released back on the street without any connection to services or treatment.

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 and delay criminalization until all counties do.

HB 4002 cannot function within Oregon's current criminal justice system. In fact, it will make things worse. For lower income Oregonians, the shortage of public defenders means cases will be dismissed with no connection to care, but people will be left with arrest records. Meanwhile, drug possession cases will clog up prosecutor, defense, court, and probation caseloads.

HB 4002-24 also fails to meaningfully invest 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.

HB 4002-24 will do much more harm than good. While lawmakers claim criminalization is a “quick fix” for overdose, homelessness, and other public suffering, I know it’s a false promise of change. Criminalization doesn’t keep people off the street. It temporarily hides them from public view, without making streets safer, until they end up right back on the street with a criminal record that makes it harder for them to access services, find work, and find housing.

Please don’t take us backwards. Oppose HB 4002 and focus on real solutions that build a full system of care for communities, rather than recriminalizing people who are struggling with drugs.