



FROM: Sammi Teo, Public Policy Advocate
RE: No to Re-Criminalizing Addiction in HB 4002-24
DATE: February 26, 2024

Chairs Lieber and Kropf, and members of the Joint Committee on Addiction & Community Safety:

Oregon Food Bank's mission is "to eliminate hunger and its root causes... *because no one should be hungry.*" We pursue this goal in two key ways: we foster community connections to help people access nutritious food today, and we advocate to change policies that drive hunger and poverty.

This testimony builds on our [testimony from February 7th](#), in which we focus on the intersection between incarceration and hunger. Namely: [90 percent of people returning from incarceration experience food insecurity](#); and [among households with a formerly incarcerated member, 70 percent struggle to meet essential needs like food and housing](#).

Oregon Food Bank is Disappointed at both the Process and the Resulting Policy in HB 4002-24

When the racial justice reckoning and uprisings in 2020 brought forth a heightened and renewed consciousness and consensus that state-violence and over-policing in our communities had to change, we did not imagine that four years later Oregon's legislature would be seriously considering adding draconian measures that worsen 50 years of failed and systemically racist "war on drugs" policies that will be both ineffective in addressing our addiction crisis and will cause disparate harm for Oregonians who are Black and Brown. Yet here we are.

With HB 4002-24, Black and brown Oregonians will be arrested and incarcerated at disproportionate rates and face harsher sentences; and racial disparities relating to food, housing, and jobs will worsen. Today, [Black Oregonians are issued M110 citations at double the rate of their population](#). Portland police have the [5th highest arrest rate](#) disparities in the country. [People of color are disproportionately excluded from diversion](#) and more likely to be placed in [diversion programs that disproportionately fail people of color](#).

Oregon Food Bank believes the best solutions are the ones that are led by our communities – those with lived experience of systemic oppression and food insecurity – in a shared effort to eliminate hunger and its root causes. Yet in our view, the process that has led to HB 4002-24 has fallen short in this regard. It is our understanding that leaders from communities of color - whose experiences bear witness to the harmful and violent impacts HB 4002-24 will have - have been consistently excluded from the rooms in which decisions happen. Instead of a bill crafted with evidence-based approaches and grounded in community expertise, we have a bill that was crafted under the threat of a ballot-measure funded by wealthy individuals and corporate interests. This is not good policy making, and will hurt our communities.

In the first hearing of this bill, **85% of the testimony stood against return to criminalization**. And yet what we see reflected in the -24 amendment is that the length of incarceration being proposed has become **even more harmful** - increasing to a penalty of up to six months in prison. We urge you to listen to Oregonians and support, NOT criminalize, people living with addiction.

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HB 4002 (-24) is a continuation of the state's failure to address our addiction and housing crisis.

Addiction is a chronic disease, and must be treated as a public health issue that puts treatment first and centers the dignity of each person. HB 4002 is not a treatment-first approach. A true treatment-first approach would make deflection mandatory in every county and police department in the state. No one should have to get arrested to be connected to care.

HB 4002 will not get people in poverty connected to care. It fails to fund adequate treatment for people placed in conditional discharge. There is no place to send people who want to utilize this program, especially people with the highest acuity who need residential treatment and a full continuum of care. **HB 4002 creates massive inequities between people who can afford counsel and those who cannot.** Without an attorney, people cannot enter conditional discharge.

HB 4002 ignores evidence from two years of research by academics from across the country that showed: the arrival of fentanyl to Oregon, NOT decriminalization, caused the increases in overdoses; ending eviction protections, NOT decriminalization, increased homelessness; and decriminalization has had no impact on public safety. In fact, over the past year, crime rates in Portland have dropped 13%.

We agree that there are a multitude of ways that the implementation of Measure 110 needs to be improved with a heightened sense of urgency:

- Fix the citation system that state auditors called on the state to fix;
- Fully fund behavioral health providers to expand treatment;
- Increase detox and recovery services statewide;
- Ensure people struggling with addiction to are not released back to the streets without housing and support;
- Bolster the public defense system, not exacerbate the crisis as HB 4002 would do.

We urge the legislature to reject this punitive, harmful approach to our state's addiction crisis. **We urge you to vote No on HB 4002.**

