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CITY OF  
**PORTLAND, OREGON**

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**Ted Wheeler, Mayor**  
Carmen Rubio, Commissioner  
Dan Ryan, Commissioner  
Rene Gonzalez, Commissioner  
Mingus Mapps, Commissioner

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February 26, 2024

Joint Committee on Addiction and Community Safety Response  
Oregon State Legislature  
900 Court Street SE  
Salem, OR 97301

Co-Chairs Lieber and Kropf and Members of the Committee,

First, we would like to express our gratitude to legislative leadership for moving quickly to form the Joint Committee on Addiction and Community Safety Response and to all of you for giving your time and focus to addressing behavioral health, safety, and livability issues faced by many Oregonians and Portlanders. We know the committee has worked tirelessly for months to craft a solution that balances the need to limit the proliferation and public use of dangerous controlled substances on our streets while increasing access to the behavioral health resources needed by individuals living with substance use disorder. We believe that HB 4002 as amended and the associated behavioral health funding strikes that careful balance.

For these reasons, we write today to share our support for many of the components of HB 4002 as amended.

As you know, there is a crisis occurring on Portland streets. It is critical that we work together with the utmost urgency to implement humane and effective solutions. In recent years, Fentanyl has become ubiquitous, replacing other more expensive drugs and causing drug use to skyrocket. Our addiction crisis is further compounded by the homelessness crisis, which has resulted in extensive drug use occurring openly in public. More and more individuals with substance use disorder are living on our streets, filling up hospital emergency departments, cycling in and out of the criminal justice system, or some combination of the three. We believe HB 4002 as amended will give Portland a means to target the most dangerous and flagrant drug dealers, address the increased drug use in public while also providing individuals living with substance use disorder various pathways to treatment and recovery with the goal of services being available at the moment they are ready to go; no waiting list.

The City of Portland is supportive of many of the components of HB 4002 as amended. We appreciate the tools to make it easier and more effective to prosecute drug dealers by overturning *State v. Hubble* and returning to the decision under *State v. Boyd*, as well as enhancing the penalties for distributing drugs near treatment facilities, homeless shelters, and parks. Making possession of a controlled substance a misdemeanor provides law enforcement with a tool to engage individuals involved in public drug use, confiscate their drugs, and transport them. This solution will allow law enforcement to abate the situation that prompted a call to 9-1-1 and we welcome the ability to establish a deflection program to ensure there are options other than jail. While we still have some questions about deflection as proposed in this legislation, we are supportive of the intent and the

efforts to provide individuals living with substance use disorder with multiple pathways to treatment. We also support the specific attention paid to data collection in the proposed legislation. Tracking this work is crucial to ensuring there are not disproportionate impacts on Black, Indigenous, Latinx or other people of color, and to help identify the most effective tools to support individuals living with substance use move forward on a path to recovery.

The City of Portland is committed to working with Multnomah County, the District Attorney, the Behavioral Health Resources Networks, local providers, and others to urgently implement deflection in Portland. We must stress that the most efficient and effective way to deliver deflection in Portland is to quickly establish a 365 day per year, 24-hour per day behavioral health drop off center. A facility is needed where police officers and other first responders can bring individuals living and using on the street who are not in need of urgent hospital level care. Individuals will receive a crisis risk assessment, crisis and safety planning, sobering and stabilization services, and access to other referrals and connections. While this center will initially serve as a place to connect individuals with services, the goal is to add in and scale up co-located withdrawal management and stabilization beds over time. The \$25 million needed to stand up this center is a fundamental piece of this complex package. It is imperative that the State invests in standing up this center.

As the city operates under the new laws within this framework, it will be vital that all jurisdictional partners work collaboratively with the same level of urgency to implement the components of HB 4002. The City of Portland stands ready to work alongside our state and county counterparts to ensure each system of government is advancing the goals and intentions of this proposal in a timely manner – and with the community to ensure accountability to prevent disproportionate outcomes. As the legislature has opted to direct funding for deflection largely through the counties and community mental health providers, we would appreciate continued legislative oversight and partnership to see implementation, monitoring, evaluation, and modifications through.

Thank you again for the opportunity to share our support for HB 4002 as amended and forthcoming behavioral health funding components.

Sincerely,



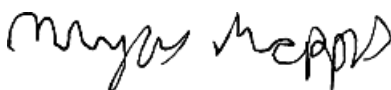
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