



Testimony in Opposition to HB 4002

Gloria Ochoa-Sandoval, Unite Oregon

February 26th, 2024

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

Thank you for the opportunity to provide testimony in opposition to HB 4002. My name is Gloria Ochoa-Sandoval and I am the Policy Director at Unite Oregon. Its unfortunate that this is the first time we speak since the email I sent last Wednesday regarding the issues in our communication. I thought of being silent for 2 minutes to represent the silence I received but I decided my words need to be heard publicly.

As a reminder, Unite Oregon is a statewide nonprofit organization in both urban and rural Oregon; that is led by and represents Black, Indigenous, People of Color, immigrants and refugees, and folks experiencing poverty. The same group of people that are disproportionately targeted by criminalization.

I hear y'all say we have to do something to get people off the streets, decrease drug use, and save lives. I agree. Where we disagree is that these needs imply criminalization as the solution.

HB 4002 is not a treatment-first approach. It's a treatment-if-you-are-lucky approach. Luck in this bill is defined as a county that has opted into deflection and might have included providers while planning implementation. Luck is an officer that will offer deflection and a person in possession that understands, in English, that their options are diversion or a misdemeanor. Luck is a diversion program that is up and running.

This bill has more paths to criminalization than it does to behavioral health. It disguises what is practically a Class B misdemeanor as unclassified. And it lays the ground for great opportunity for racism with opt-ins, discretion, and suspicion.

Dismissals, probation, and expungement are also being promoted. Dismissals are a



missed opportunity for someone to have been connected to treatment. Probation is incredibly harmful and difficult to maintain when you have work, and/or a lack of access to a phone and transportation. And expungement, although referred to as automatic, can't happen until 3 years after successful probation, that is, after the taskforce is done putting something together in 2025. This is 3+ years of lost housing and job opportunities.

The Racial Impact Statement shows racial disparities. It confirms disproportionate harm to Black and Latinx people. That is, even though it avoided incorporating the very real disproportionate impact of the pandemic and fentanyl in low-income communities in recent years. As a Latina, I am tired of governments meeting my plea for help regarding racial disparities with a proposal for data collection to prove my experience true. I am also tired of receiving data that validates my experience and does nothing about it. If you care, if you don't want to sacrifice Black lives for your quick need to do "something," I would encourage you to put a threshold to these disparities and have counties who show this impact no longer be allowed to charge misdemeanors.

For as long as there is discretion for law enforcement to decide on behavioral health care, there is discretion for racism and lack of care, at the cost of our, my, communities' lives.