

## Memo

**To:** Senate Judiciary Committee

**From:** Beckie Child, MSW Ph.D. c.

**Date:** March 17, 2019

**Re:** SB 762

Chair Prozanski and Members of the Committee

I am writing today to oppose SB 762. I find that the opt-in requirement proposed in SB 762 violates due process requirements of the Constitution. Additionally, there are several items about the bill that are not clear. This bill expands the involuntary hold time from 5 judicial days to 15 days.

A person can ask for a preliminary hearing provided it is within the first five days of the hold, but the bill does not specify when the hearing will take place and there is no guarantee that a person will have access to an attorney. Also, the preliminary hearing must be asked for in writing. How are people suppose to know that a) they have to ask for a hearing in writing; and b) that it has to be within five days. This is asking a lot of people who may be experiencing extreme distress from being held against their will and other circumstances.

SB 762 will also create some unanticipated problems. This bill will cause acute care units to only be filled with people who are on holds causing many other people to spend days and weeks being boarded in emergency departments while hospital personnel look for a bed for that person. The emergency department is the absolute worst place for people experiencing extreme emotional distress. Oregon has struggled for more than a decade with emergency boarding of psychiatric patients in the emergency department. This will create more trauma for people who are already having a difficult time. Please oppose SB 762.

Sincerely,



Beckie Child  
Multnomah County