

**TESTIMONY ON SB 189
BEFORE SENATE COMMITTEE ON JUDICIARY
MARCH 16, 2021**

**PRESENTED BY: HON. NAN WALLER, MULTNOMAH COUNTY CIRCUIT COURT;
HON. SUZANNE CHANTI, LANE COUNTY CIRCUIT COURT
OREGON JUDICIAL DEPARTMENT**

Chair Prozanski, Vice Chair Thatcher, and Members of the Committee:

We offer this testimony on Senate Bill (SB) 189 on behalf of the Oregon Judicial Department (OJD) as the co-chairs of the Chief Justice's Behavioral Health Advisory Committee (BHAC). BHAC advises the Chief Justice on best practices for use in case and docket management, in decision-making, and in cases involving court users with behavioral health issues. It also provides direction to OJD regarding legislation in this area. BHAC works closely with the Office of the State Court Administrator, governmental partners, and other behavioral health stakeholders.

OJD is neutral on SB 189. This measure would amend ORS 426.273 concerning trial visits for persons committed to the custody of the Oregon Health Authority as a person with mental illness. A trial visit is a transfer of a civilly committed person from a facility in one class to a facility in a less restrictive class. SB 189 would require outpatient care as a condition for trial visits and specify minimum conditions for the trial visit.

OJD acknowledges that these are important and complicated issues. BHAC has a subcommittee that focuses on civil commitment and assisted outpatient treatment. OJD understands that civil commitment statutes present a complex interplay between law and behavioral health.

OJD appreciates the opportunity to participate on the Legislative Work Group to Decriminalize Mental Illness that developed this legislation. Multiple judges and court staff have attended work group meetings. We thank them and all the stakeholders for their contributions, and commitment to compassion and thoughtful alternative approaches for those experiencing mental health issues.

We appreciate the work that the legislative work group has done and support its continued efforts to work on improvement of the civil commitment process. We value the voices, lived experiences, and perspectives of all who engaged.