



February 2, 2023

House Committee on Revenue
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Testimony to Oppose HB 2089

Dear Chair Nathanson, Vice-Chairs Reshke and Walters, and Members of the House Committee on Revenue,

Thank you for the opportunity to provide testimony on behalf of the American Civil Liberties Union (ACLU) of Oregon. The ACLU of Oregon is a nonpartisan, nonprofit organization dedicated to preserving and enhancing civil liberties and civil rights, with more than 27,000 members statewide.

Oregon's Drug Addiction Treatment and Recovery Act – Measure 110 – was adopted into law directly by Oregon voters. Measure 110 is a necessary pathway to remedying Oregon's status of providing the lowest access to critical addiction recovery services. It is imperative that Measure 110 be fully supported, not defunded and undermined.

For these reasons, the ACLU of Oregon strongly opposes House Bill 2089 which seeks to defund and undermine Measure 110.

In 2020, Oregonians passed Measure 110 by an overwhelming 17-point margin. With this landslide vote, the people of Oregon issued their legislature a mandate to treat addiction as a health condition rather than a crime.

In the Treasury's audit of Measure 110's implementation, the Treasurer found it premature to assess the program's success, largely due to state delays in distributing the program's much-needed funds to addiction recovery services. Even if the current level of funding for Measure 110 remained the same and was not cut by bills like HB 2089, Oregon would still need to nearly double funds for addiction recovery services in order to meet community needs.¹

¹ Lenahan K, Rainer S, Baker R, and Waddell EN, (2022) *Oregon Substance Use Disorder Services Inventory and Gap Analysis*, OHSU-PSU School of Public Health, Oregon Health and Science University, Oregon Alcohol and Drug Policy Commission, and Oregon Health Authority, Health Systems Division, and Public Health Division, <https://news.ohsu.edu/2022/09/30/oregon-researchers-discover-significant-gaps-in-states-substance-use-disorder-services>.

In other words, Measure 110 has not yet been given a chance to succeed. Yet HB 2089 aims to defund and undermine Measure 110 by cutting over 40 million dollars from Behavioral Resource Networks (BHRNs), i.e., the providers that provide addiction recovery services, and redirect these monies to Oregon's law enforcement.

This proposal disrespects Oregonians who championed and voted for an evidence-based, treatment-focused response to our state's addiction crisis. HB 2089 would plunder money from provider networks which, even with Measure 110 unchanged, remain underfunded,[2] and channel it to law enforcement. This is a strategy that actively worsens Oregon's addiction crisis as well as the safety and wellness of our communities.

Law enforcement disproportionately targets low-income communities and people of color when enforcing substance abuse laws. Once in the judicial system, people of color experience discrimination at every stage. Redirecting funds to law enforcement would continue and reinforce a discriminatory and punitive system that simply does not work – this is a perpetuation of racism and white supremacy.

The provider networks—and the Oregon residents whose lives depend on them—should not be penalized for the state's delays distributing funds. We must give Measure 110 a full chance to succeed. Oppose HB 2089 and support efforts to strengthen Measure 110's humane, evidence-based, voter-chosen approach: expanding access to recovery services and culturally relevant care.

Oregon's addiction health crisis grew over decades. Only when the community organized and championed a ballot initiative did we see any real effort to address our addiction crisis with real solutions and needed resources.

The ACLU of Oregon urges you to look to the people's leadership and strongly oppose HB 2089.

Respectfully,

Emily Hawley (She/Her/Hers)
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