



March 22, 2023

SUBJECT: ORSAM Board - Support for SB 1065

Chair Prozanski, and Members of the Senate Committee on Judiciary:

ORSAM seeks your support for SB 1065. SB 1065 establishes a legal process for individuals to set aside qualifying prior convictions relating to controlled substance possession. SB 1065 represents a significant step towards addressing substance use and addiction as a public health issue, rather than as a criminal issue. We must end the stigma against people who use drugs (PWUD) and expand evidence-based treatment for all forms of substance use disorder (SUD).

This Legislation is important because drug possession convictions create discrimination based on a person's medical condition. Approximately 90% of employers conduct criminal background checks. Surveys show that 65% of employers would not knowingly hire people with criminal records.^x In addition, one quarter of jobs in the United States require some form of license. People with drug possession charges with or without conviction can be barred from these jobs.^{xi}

America's current legal process for people who use drugs reinforces racism and its harms. Penalties for substance use and possession are differentially enforced across different populations. Persons of color and persons of limited means bear the brunt of the negative effects. Black Americans and White Americans use substances at comparable rates. However, Black Americans are significantly more likely to be arrested and incarcerated for substance use. Additionally, the historical and current disparity in federal sentencing for crack cocaine when compared to powder cocaine is another prominent example of differential enforcement.

Criminal records create long-lasting barriers to success for individuals in all facets of life. Such records negatively impact a person's likelihood of obtaining employment, housing, and public benefits. Criminalizing use and possession of substances does not meaningfully reduce substance use and substance use disorder. In 2019, nearly 90% of drug related arrests were for drug possession. But U.S. states with higher rates of drug imprisonment do not experience lower rates of self-reported substance use.

Some of our patients have incurred debt to the state because of their health problems. They are unable to pay restitution fines because the records often preclude gainful employment.

Criminalization inhibits meaningful opportunities for substance use disorder treatment and rehabilitation. Many people who are incarcerated are not given access to evidence-based, lifesaving Addiction Medicine care.

We hope you will help remove these obstacles from our patients' paths. They deserve a fresh start.

Best Regards,

Oregon Society of Addiction Medicine

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