

HB 4088

I would like to express opposition to HB 4088. This legislation is a criminalization of ill health and a barrier for people seeking help. People experiencing a health crisis should not have to worry about a potentially deadly encounter with police or finding themselves in jail instead of a health care facility. Jails have a terrible record of caring for the health needs of inmates. Taking people in a health crisis to jail may endanger their lives. Encounters with police also threaten their lives. Over half the people killed by police have some form of disability.

The carve out to not prosecute people with certain health conditions is inadequate. It does not spare people a potentially deadly encounter with police or jail. It simply means they cannot be charged. It does not mean they can't be arrested or put in jail. Police will not be able to make accurate diagnoses in the moment. Many people take years to get accurate diagnoses and may not have accurate diagnoses at the time of encounter. If people are afraid to seek health care due to potential encounters with law enforcement, many people will never get the assessment and care that they need.

This is a very crude approach to a real problem. Hospitals need to take necessary steps to keep their staff safe with appropriate environmental modifications, training, adequate staffing, and responsive support in crisis. They should not ask law enforcement to assume the hospital's responsibility.

I hope we will reject this flawed legislation and provide the support hospitals, staff, and patients need to be safe and receive appropriate care.

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