

March 29, 2025

Testimony for HB 2467 in House Judiciary committee 2025 In Support

A bill to define dangerousness to others and dangerousness to self in the context of civil commitment hearings.

I am Dr. Henry Elder, a now-retired psychiatrist. I represent **Consolidated Oregon Indivisible Network**, who has endorsed this bill. I worked for thirty years in psychiatry, four years of which were in county jails, three in inpatient settings, and in doing so, had frequent encounters with people who were clearly dangerous to themselves or others. In particular, it was highly disturbing to see people who were clearly dangerous to themselves and/or others, but remained incarcerated in county jails without civil commitment for treatment.

There has been a history of individuals who may be in danger of harming others or themselves claiming for the purpose of staying out of psychiatric hospitalization that they are not currently, or imminently threatening harm to others or themselves, which has met the criteria for a dismissal of the proceeding. Many of these individuals have then gone on to suicide attempts or harming the person that they had originally threatened. Partly for that reason, in this bill the wording of the civil commitment ordinance has been altered to emphasize an assessment of risk, rather than imminence of harm, which I believe will result in a more accurate assessment of need for civil commitment.

It has been argued by opponents that a more important limitation in protection of public and individual safety is that of capacity of treatment, that is psychiatric hospital capacity, and that without funding and construction of that capacity, this is ineffective. Although proponents (In conversations with a Oregon Psychiatric Physicians Association legislative committee representative) acknowledge that there is truth in that argument, a robust civil commitment law and a robust capacity for treatment are desirable goals, and it is necessary in a practical sense to do one at a time.

Further, it would assist in the proper assignment of persons in legal custody to psychiatric hospitalization rather than jailing, a matter I struggled with first hand in my work in jail psychiatry positions historically. The suffering, in particular, of people with manic episodes of bipolar disorder in jails is intense and dangerous. The proper and humane treatment of those conditions is in psychiatric hospitalization and/or mandatory outpatient treatment.

Therefore Indivisible and I recommend strongly that this bill be passed.

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