



Disability  
Rights  
Oregon

TO: Joint Committee On Addiction and Community Safety Response  
FROM: Emily Cooper, Disability Rights Oregon  
DATE: April 22, 2025  
RE: HB 2470 – Oppose

Co-Chair Kropf, Co-Chair Prozanski and Co-Vice Chair Mannix,

Disability Rights Oregon vehemently opposes HB 2470 with the –2 amendment.

The use of jails to treat people with mental illness is inhumane and a violation of the federal court order in *OAC v. Mink*. *Mink* was filed in 2002 on behalf of people with mental illness languishing in punitive jail conditions while awaiting court-ordered mental competency services. Under state law, whenever a person with mental disabilities is determined incompetent to stand trial, the trial court orders the state psychiatric hospital to provide treatment to restore competency. OHA is the only entity that can provide these services.

Jails are designed to punish, not treat. Any efforts to make jails more therapeutic will be costly and still ineffective at restoration of a person to competency to stand trial. A 2020 clinical study found that there are no best practices for this model and restoration rates remain lower than those in hospital settings. For example, there are critical treatment concerns in jail settings including the inability to prescribe involuntary medication, the nature of the jail environment, and the lack of separation between evaluators and treatment providers. Ultimately, jail rules, regulations, and disciplinary practices prohibit any form of quality mental health treatment.

For these reasons, we ask that you decline to move forward on this bill.

### **About Disability Rights Oregon**

Since 1977 Disability Rights Oregon has been the State's Protection and Advocacy System.<sup>1</sup> We are authorized by Congress to protect, advocate, and enforce the rights of people with disabilities under the U.S. Constitution and Federal and State laws, investigate abuse and neglect of people with disabilities, and “pursue administrative, legal, and other appropriate remedies”.<sup>2</sup> We are also mandated to “educate policymakers” on matters related to people with disabilities.<sup>3</sup>

If you have any questions regarding DRO’s position on this legislation, please contact Ben Gurewitz via email: [bgurewitz@droregon.org](mailto:bgurewitz@droregon.org).

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<sup>1</sup> See ORS 192.517.

<sup>2</sup> See 42 U.S.C. § 15041 et seq; 42 U.S.C. § 10801 et seq.

<sup>3</sup> See 42 U.S. Code § 15043(a)(2)(L).