

Submitter: Sara Duncan
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB4106

Testimony 4106

Chair Kropf, Vice Chairs Chotzen & Wallan, Committee Members, fellow Oregonians thank you for having me. My name is Sara Duncan. I am from Salem Oregon and as a disabled LGBTQ woman with a mental illness I speak in opposition of HB 4106.

HB 4106 grants immunity from prosecution to officers using restraints or force to transport people to involuntary treatment. At one time in our history involuntary treatment was called institutionalization.

Oregon has a well known history of involuntary medical institutionalization. Institutionalization that has been weaponized to imprison women, LGBTQIA people, black and brown people, disabled people, or anyone threatening the status quo. It's a practice so common it's a plot line in Disney's children's movie Beauty and the Beast.

But this isn't a thing of the fairytale. In 2025 President Donald Trump directly called for the institutionalization of homeless people.

It's important to note that "Roughly half of homeless individuals in the US live with an intellectual or physical disability" according to the 2021 Annual Assessment Report to Congress.

Additionally we know people with untreated mental illness are 16 times more likely to be killed by police than other people approached by law enforcement according to The Treatment Advocacy Center. Further evidence to exactly what our officer friends said today. They have no place being in these situations.

Yet we are discussing a bill to give officers immunity from prosecution when using force to transport people. This forces the liability on the citizens on their bodies. By empowering officers you are robbing citizens.

As laid out by the bill force can be granted immunity if the officer fears for their life. The same reason used to justify the killing of George Floyd and Renee Good. Notably a black man and a LGBTQ Woman who was threatening the status quo.

Nobody should be above the law. Law enforcement should be held to the same standards as nurses, caregivers, social workers, and teachers who deal with this everyday without a gun and without immunity.

From what I have heard today law enforcement would rather we be discussing a bill to build out a transportation system that properly transports people. It seems to me building that system would be a much better use of our time.

Do not rob disabled Oregonians of their rights. We are humans too. We also need the protections of the checks and balances of the system like our ability to hold law enforcement liable if we are harmed while experiencing an episode.

For all this and more I strongly oppose HB 4106.