



OREGON HOUSE OF REPRESENTATIVES

February, 15, 2023

Timothy G. Sekerak
Chief Clerk of the House
State Capitol Building
Salem, OR 97301

RE: Vote Explanation on HB 2645A

Dear Chief Clerk Sekerak,

I have thought about this bill a lot since its public hearing. I've spoken to constituents, advocates, opponents, and folks who've stayed neutral. I re-listened to the hearing and reviewed the testimony really trying to get to yes. I was told to consider that there was no opposition. So, I asked folks who may have opposed. It turns out that there is opposition to the bill. But advocates are taking on bigger fights this session, like ensuring that addiction treatment services stay fully funded, as voters approved in Measure 110. Everyone agrees that fentanyl is wreaking havoc and tragedy on communities. But the question is whether further criminalization will help us avoid those tragedies.

The media sensationalism and moral panic in the testimony that we heard in the House Judiciary Committee mirrors the same tough on crime, War on Drugs mentality of the 1980s and 90s that has left long lasting negative consequences we are still trying to recover from. But the War on Drugs has really been a war on drug users. If there is any doubt in the intent of the War on Drugs look no further than the explanation of John Ehrlichman, an advisor in Nixon White House, who said: "We knew we couldn't make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did." Drug crimes have been and continue to be used as a pretext for harassment by police of protesters, low-income communities and communities of color.

This bill has been referred to as another tool in the toolbox, but like so many tools in the War on Drugs, this is another hammer. Drug use and addiction is a fragile issue; we're blowing glass, not forging steel. We already have so many hammers for arrest, prosecution, and incarceration but to what end? Research by the University of Pennsylvania shows that our country has spent more than a trillion dollars prosecuting the War on Drugs, while addiction rates and overdoses have reliably increased year after year.

It sounds like the goal for all of us in this conversation is to save lives but criminalization is not a part of harm reduction. Oregon voters were not ambiguous two years ago when they said by a more than



15-point margin (and more than 25 in my county) that they wanted to move away from criminalization toward more compassionate solutions. Nor were they ambiguous in the 2022 survey by Data for Progress, which showed 72% of Oregonians still support addressing drug use and addiction through the public health system as opposed to repealing Measure 110. What we need is treatment and healthcare, which I hope we deliver on when it comes to the budget this year.

We are facing many crises hurting our communities. Lack of affordable housing and living wage jobs, as well as a mental health epidemic at a time when even if you can afford healthcare, you often can't find a provider that will take your insurance, or one that has availability, all exacerbate our crisis of drug misuse and addiction. It is the urgency of these crises that we should focus on rather than increasing punitive responses.

Sincerely,

A handwritten signature in blue ink, appearing to read "Farrah Chaichi". The signature is fluid and cursive, with a horizontal line extending from the end.

Representative Farrah Chaichi, House District 35