



The Office of  
**State Senator Wlmsvey E. Campos**

Oregon Senate District 18

**VOTE EXPLANATION: HB 4002**

March 1, 2024

Obadiah Rutledge

Secretary of the Senate

State Capitol Building

Salem, OR 97301

RE: Vote Explanation — HB 4002 A

Dear Secretary Rutledge,

I am writing to provide an explanation of my vote in favor of House Bill 4002 - The Oregon Drug Intervention Plan. House Bill 4002, takes a first, but significant, step forward in transforming the way our state approaches addiction treatment, invests in behavioral health services, and addresses the ongoing fentanyl and opioid epidemic. Like the majority of Oregonians, I supported Measure 110 on the ballot. I am saddened that it was never given a fair opportunity to be implemented to its fullest potential as it took effect in the midst of the devastating effects of the COVID-19 pandemic and the rapid rise of fentanyl across the United States. Nevertheless, the current addiction and overdose crisis, and the staggering presence and horrific impact of fentanyl in Oregon, is untenable. Oregonians deserve a comprehensive solution that will prioritize treatment, save lives, and prevent fentanyl from further ravaging our communities and the great state we call home.

I am proud to represent the communities of South Hillsboro, Aloha, Beaverton, and unincorporated Washington County. What I hear from my constituents and stakeholders within these communities is a deep and authentic desire for urgent action to be taken to help their family, friends, neighbors, and communities stand a fighting chance against the harmful impacts of addiction. While this bill is far from perfect, I feel it is a step in the right direction and that it is my responsibility to represent the needs and requests of my district by casting an “aye” vote.

I do not offer this vote of support naively, and it is important to understand the context surrounding this legislation. In negotiating a comprehensive solution to the drug and addiction crisis, this legislative body was constrained in scope and approach by a small group of wealthy individuals and corporations that threatened to bring forward a conservative ballot measure that would have created draconian penalties for the possession and use of controlled substances. I

was, and remain, opposed to their proposal which I believe would damage our communities, remove critical funding for drug treatment, and return Oregon to the failed War on Drugs. Additionally, due to the passage of Measure 10 (1994), Oregon law requires that any legislative changes to criminal penalties passed directly by the voters via ballot measure can only occur through a 2/3 majority vote in both the House and Senate chambers - a high bar to clear that would make it difficult for the legislature to revisit the consequences of a full repeal of Measure 110 in the future.

I approached this vote knowing that the legislature would be called to pass HB 4002 under duress. I find that this is an unacceptable way for a governing body to be forced to legislate, as it fails to respect the principles of democracy, the results of elections, and, ultimately, the will of the people.

I have great concern about the decades of data, ranging from the War on Drugs era to the present day, which clearly show that criminalizing addiction, substance use disorder, and behavioral health has had a disparate impact on people of color and low-income individuals. Another concern comes from a recent letter written by Oregon Supreme Court Chief Justice Flynn outlining serious fears that the Oregon Judicial Department has regarding the influx of cases that could overwhelm state circuit courts once HB 4002 is implemented. Lastly, I am equally worried about the ongoing public defense crisis and how the lack of access to indigent defense attorneys will only be exacerbated by this legislation.

These concerns regarding the criminal justice system are legitimate; they are consequences of past harms, negligence, and underinvestment, and they will require the legislature's ongoing attention and efforts in subsequent legislative sessions to ensure that we continue to build a responsive system that is equitable, just, and compassionate for all.

That being said, despite these significant concerns, and the external pressures that limited the the Legislature's options, I still support HB 4002. We worked hard alongside stakeholders, subject matter experts, and directly impacted individuals to create a policy solution that makes historic investments in addiction, behavioral health, and substance use disorder treatment. These investments will save lives.

HB 4002 also serves as an opportunity to reimagine not only how first responders offer direct access to behavioral health and addiction treatment, but also how our criminal justice system can move away from punishing people and towards providing more supportive services, well before criminal charges and prosecutors are involved. By building multiple off ramps from the criminal justice system, through deflection and diversion programs, we are steadfastly acknowledging that jails are not meant to house people struggling with behavioral health and addiction or homelessness. Treatment must be the first, second, and third option, well before courts or corrections. I'm also glad to see that our state is making groundbreaking strides on automatic expungement, which will ensure these charges don't stand in the way of Oregonians as they rebuild their lives. It is my hope that this will be replicated by other states.

Nevertheless, there is still significant work to return to here. This must be the beginning of a conversation - not the end of it. The deflection programs outlined by HB 4002 are currently opt-in for county governments, and while we currently have commitments from roughly 84% of all counties, we must strive for all counties in Oregon to provide deflection programs with uniform standards to those struggling with addiction and substance use.

I intend to put my words into action by playing an active role in the continuing policy conversations we have regarding the addiction and behavioral health crisis and the future of Oregon's approach to the justice system to ensure that concerns raised in this vote explanation are not forgotten as we begin the multi-year process of fostering health, healing, and recovery for Oregon and the people who call it home.

Sincerely,

A handwritten signature in black ink, appearing to read "Wlmsvey S". The signature is fluid and cursive, with the first name "Wlmsvey" written in a slightly larger, more prominent script than the initial "S".

Wlmsvey Campos

Oregon State Senator – Senate District 18