



HB 4002 & HB 5204 Overview

Addressing Oregon's Addiction and Fentanyl Overdose Crisis

March 8, 2024

HB 4002A

Passed House Floor 51 YES – 7 NO

Passed Senate Floor 21 YES – 8 NO

Awaiting Governor Signature

Effective upon Governor Signature

Delayed Effective Date: September 1, 2024

New Unclassified Misdemeanor

HB 4002A – Policy Overview

Behavioral Health

- Payment for SUD Treatment
- Pharmacist Prescribing & Dispensing
- Alcohol & Drug Policy Commission Study
- Certified Community Behavioral Health Clinic Program
- Joint Task Force on Regional Behavioral Health Accountability
- Task Force on Improving the Safety of Behavioral Health Workers
- Behavioral Health workforce apprenticeship & training programs

Public Safety


- Boyd Hubbell Fix
- New Delivery Enhancements
- Pretrial Release Guidelines
- Drug Enforcement Misdemeanor - PCS-Unclassified Misdemeanor
- Deflection/Pre-Arrest Diversion
- Conditional Discharge
- Data Tracking
- Deflection Program Grant Funding
- Expansion of Welfare Holds
- Medically Assisted Treatment



Boyd Hubbell Fix – Section 24

Restoring 34 years of law defining
what constitutes a delivery of illegal
drugs in Oregon.

(8) “Deliver” or “delivery” means the actual, constructive or attempted transfer **of, or pos- session with the intent to transfer,** other than by administering or dispensing, from one person to another, [*of*] a controlled substance, whether or not there is an agency relationship.



New Drug Delivery Sentence Enhancements

Section 24 – 25

“The person knows, or reasonably should have known, that the delivery is occurring.....”

- Treatment Facilities w/in 500 ft
 - **“Treatment facility” has the meaning given that term in ORS 430.306.**
- Shelters w/in 500 ft
 - **“Temporary residence shelter” means a building that provides shelter on a temporary basis for individuals and families who lack permanent housing.**
- Public Parks w/ 30ft
 - **“Public park” means a park operated by the state, a county, a city or a park and re-creation district.**

Sentencing Grid – Crime Seriousness Scale: 7 for consideration and 5 without consideration (presumptive probation)

Pretrial Release Guidelines – DCS & MCS

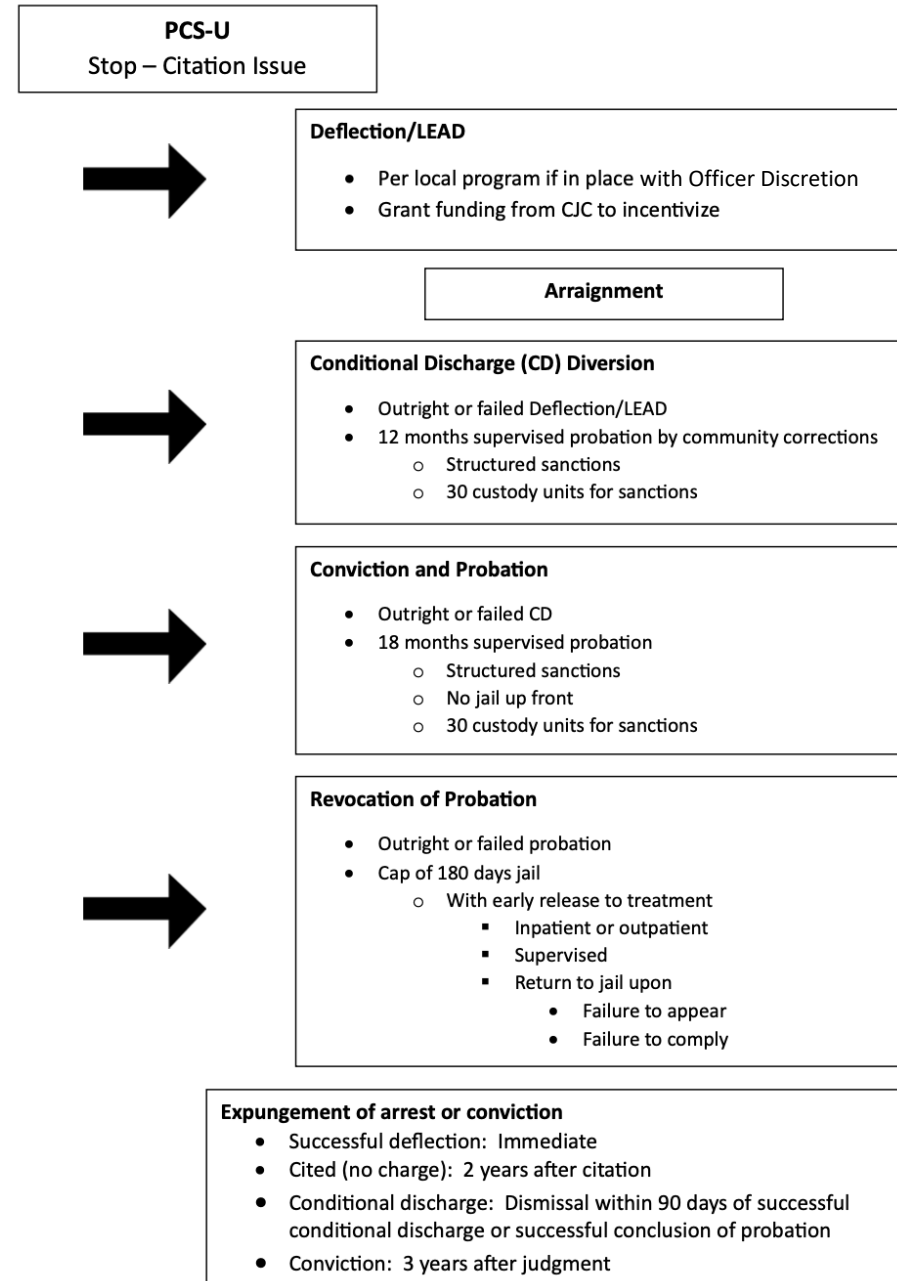
Ability to keep drug dealers
and manufacturers in
jail pre-trial.

SECTION 26. No later than **June 1, 2024**, the Chief Justice of the Supreme Court, with input from a criminal justice advisory committee appointed by the Chief Justice, shall reevaluate and update the release guidelines for the pretrial release orders established under ORS 135.233 for persons arrested for or charged with delivery or manufacture of a controlled substance.

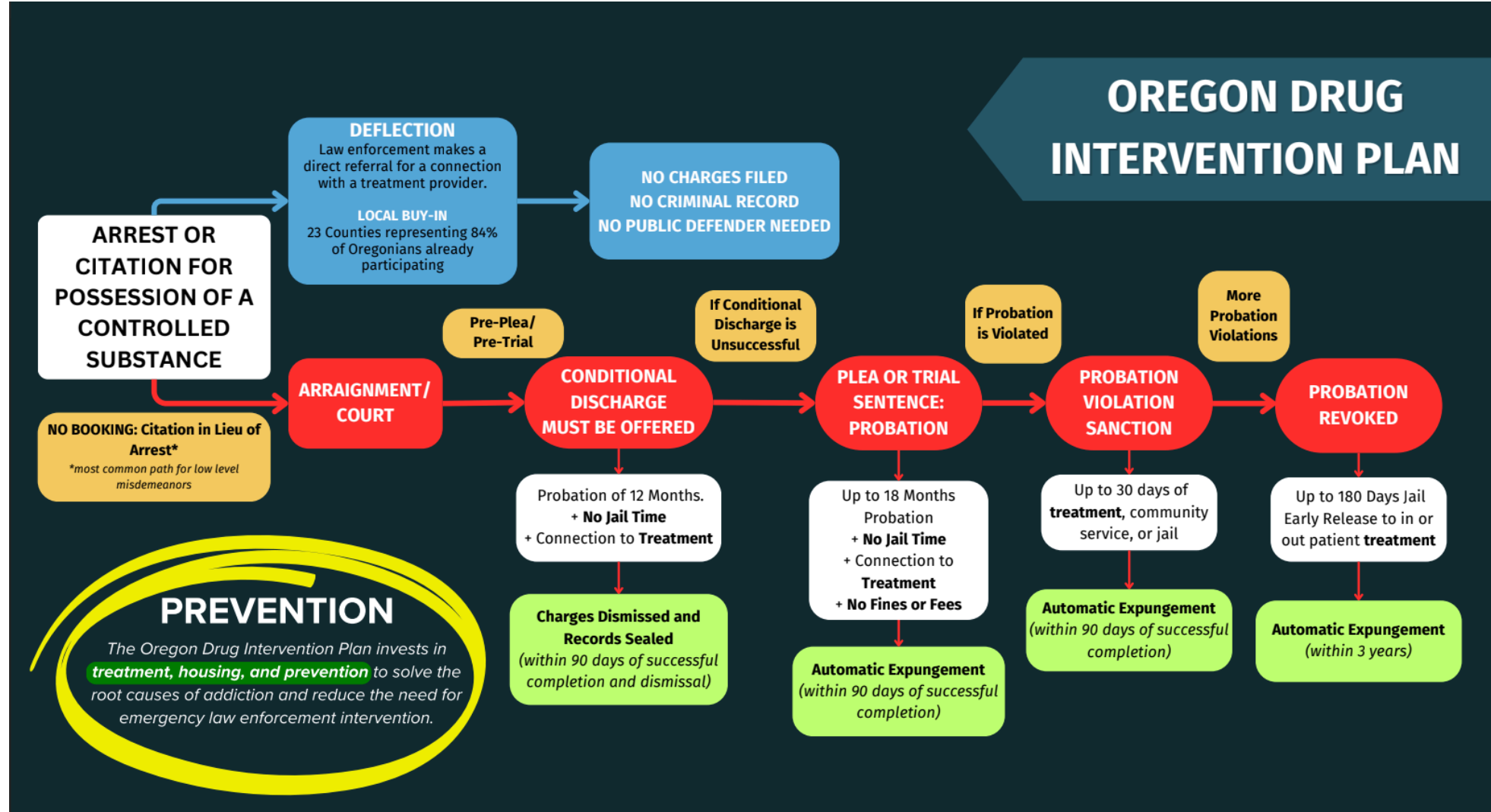
New Drug Enforcement Misdemeanor

Recriminalizing Drug Possession

Possession of a Controlled Substance – Unclassified Misdemeanor (PCS-U)



Drug Enforcement Misdemeanor – Unclassified PCS [from Senate Democrats]



| Substance | Designation |
|----------------------------------|---|
| Heroin | <p>PCS<1 gram: Class E violation PCS = or >1 gram: Class A misdemeanor</p> <p>All DCS, all MCS, and PCS if SQ, SSQ, SSSQ, or CDO: Felony = or > 5g= SQ = or > 50g= SSQ = or > 100g= SSSQ</p> <p>Delivery for-consideration penalty: Yes Mini SQ for CDO factors: 3g</p> |
| Fentanyl (schedule II substance) | <p>PCS<1 gram: Class E violation PCS = or >1 gram, or 5 or more user units: Class A misdemeanor</p> <p>All DCS, all MCS, and PCS if SQ, SSQ, SSSQ, or CDO: Felony = or > 5g, or 25 or more user units= SQ = or > 50g= SSQ = or > 100g= SSSQ</p> <p>Delivery for-consideration penalty: Yes Mini SQ for CDO factors: 3g or 15 or more user units</p> |
| Methamphetamine | <p>PCS <2 grams= Class E violation</p> <p>PCS = or > 2 grams= Class A misdemeanor</p> <p>All DCS, all MCS, and PCS if SQ, SSQ, SSSQ, or CDO= Felony = or >10g= SQ = or >100g= SSQ = or >500g= SSSQ</p> <p>Delivery for-consideration penalty: Yes Mini SQ for CDO factors: 8g</p> |
| Cocaine | <p>PCS <2 grams= Class E violation</p> <p>PCS = or > 2 grams= Class A misdemeanor</p> <p>All DCS, all MCS, and PCS if SQ, SSQ, SSSQ, or CDO= Felony = or >10g= SQ = or >100g= SSQ = or >500g= SSSQ</p> <p>Delivery for-consideration penalty: Yes Mini SQ for CDO factors: 8g</p> |
| Oxycodone | <p>PCS <40 pills, tablets, or capsules= Class E violation</p> <p>PCS = or >40 pills, tablets, or capsules= Class A misdemeanor</p> <p>All DCS, all MCS, and PCS if SQ, SSQ, SSSQ, or CDO= Felony</p> <p>Delivery for-consideration penalty: No Mini SQ for CDO factors: NA</p> |

| PCS Convictions by County and Year | | | | | | | | | |
|------------------------------------|------|------|------|------|------|------|------|------|------|
| County | Year | | | | | | | | |
| | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
| Baker | 31 | 27 | 14 | 13 | 14 | 4 | 1 | 0 | 0 |
| Benton | 105 | 83 | 85 | 27 | 42 | 12 | 4 | 8 | 4 |
| Clackamas | 503 | 536 | 484 | 285 | 439 | 190 | 40 | 38 | 44 |
| Clatsop | 47 | 61 | 57 | 24 | 29 | 3 | 4 | 3 | 7 |
| Columbia | 59 | 68 | 85 | 69 | 72 | 23 | 10 | 4 | 3 |
| Coos | 109 | 101 | 91 | 94 | 77 | 42 | 10 | 7 | 5 |
| Crook | 34 | 29 | 27 | 40 | 73 | 58 | 24 | 9 | 8 |
| Curry | 46 | 29 | 19 | 5 | 13 | 5 | 3 | 2 | 2 |
| Deschutes | 310 | 344 | 325 | 185 | 187 | 90 | 16 | 16 | 30 |
| Douglas | 401 | 362 | 256 | 97 | 128 | 44 | 12 | 15 | 17 |
| Gilliam | 15 | 10 | 8 | 3 | 5 | 3 | 0 | 0 | 0 |
| Grant | 9 | 7 | 4 | 9 | 2 | 4 | 1 | 1 | 1 |
| Harney | 17 | 16 | 10 | 3 | 4 | 2 | 0 | 0 | 1 |
| Hood River | 38 | 40 | 45 | 23 | 31 | 26 | 3 | 11 | 8 |
| Jackson | 402 | 322 | 437 | 438 | 428 | 183 | 162 | 121 | 76 |
| Jefferson | 42 | 32 | 34 | 20 | 24 | 11 | 10 | 3 | 1 |
| Josephine | 202 | 248 | 245 | 244 | 308 | 113 | 67 | 29 | 15 |
| Klamath | 186 | 156 | 152 | 96 | 97 | 35 | 19 | 19 | 7 |
| Lake | 25 | 18 | 12 | 13 | 16 | 4 | 1 | 2 | 1 |
| Lane | 261 | 508 | 471 | 374 | 276 | 149 | 30 | 24 | 9 |
| Lincoln | 63 | 65 | 78 | 77 | 74 | 44 | 14 | 9 | 5 |
| Linn | 262 | 302 | 341 | 324 | 304 | 151 | 66 | 44 | 42 |
| Malheur | 21 | 22 | 27 | 21 | 21 | 18 | 10 | 6 | 11 |
| Marion | 389 | 320 | 245 | 103 | 49 | 21 | 2 | 10 | 6 |
| Morrow | 13 | 3 | 0 | 1 | 6 | 3 | 0 | 1 | 2 |
| Multnomah | 573 | 545 | 456 | 445 | 397 | 99 | 9 | 24 | 5 |
| Polk | 87 | 109 | 130 | 133 | 126 | 35 | 8 | 8 | 12 |
| Sherman | 9 | 9 | 6 | 4 | 3 | 2 | 1 | 1 | 0 |
| Tillamook | 48 | 45 | 46 | 35 | 31 | 17 | 5 | 3 | 0 |
| Umatilla | 124 | 137 | 155 | 104 | 123 | 90 | 55 | 27 | 7 |
| Union | 33 | 34 | 40 | 15 | 20 | 10 | 1 | 2 | 0 |
| Wallowa | 6 | 5 | 3 | 1 | 1 | 2 | 1 | 0 | 0 |
| Wasco | 86 | 71 | 62 | 46 | 45 | 28 | 5 | 3 | 1 |
| Washington | 548 | 542 | 531 | 496 | 463 | 274 | 46 | 29 | 29 |
| Wheeler | 1 | 2 | 2 | 2 | 0 | 0 | 0 | 0 | 0 |
| Yamhill | 119 | 121 | 146 | 120 | 158 | 80 | 17 | 23 | 27 |
| Total | 5224 | 5329 | 5129 | 3989 | 4086 | 1875 | 657 | 502 | 386 |

Conditional Discharge

Section 51 - 53

- Key Structural Components:
 - All eligible to enter, however DA may object to the Court that conditional discharge “would not serve the needs of the person or the protection and welfare of the community”
 - Must enter within 30-days unless late date for good cause
 - Eligible if other crimes within same charging instrument – but only PCS-U entered into CD
 - 12-months supervision with early termination by the court
 - Amends current CD ORS 475.245 to expressly allow for sanction units

Deflection/Pre-Arrest Diversion Section 36-38

Key Structural Components:

- Optional – ‘Encouraged’ language for DA and Law Enforcement
- Specific to PCS-U but nothing limits entrance to PCS-U only

SECTION 36. (1) Law enforcement agencies in this state are encouraged to, in lieu of citation or arrest, or after citation or arrest but before referral to the district attorney, refer a person to a deflection program when the person is suspected of committing, or has been cited or arrested for, unlawful possession of a controlled substance constituting a drug enforcement misdemeanor under section 35 of this 2024 Act.

(2) District attorneys in this state are encouraged to divert for assessment, treatment and other services, in lieu of conviction, cases involving unlawful possession of a controlled substance constituting a drug enforcement misdemeanor under section 35 of this 2024 Act.

“deflection program” means a collaborative program between law enforcement agencies and behavioral health entities that assists individuals who may have substance use disorder, another behavioral health disorder or co-occurring disorders, to create community-based pathways to treatment, recovery support services, housing, case management or other services.

Deflection/Pre-Arrest Diversion Section 36-38

- Program coordinator responsible for providing notice of completion for purposes of sealing records
- CJC Data & Reporting
 - Statewide tracking of outcomes, including “**connections to social services and criminal justice system avoidance, and other data deemed relevant that is timely and easily accessed to inform best practices and improve outcomes for individual program participants**”
- 1st Report – 12 months after effective date
 - Best Practices and funding recommendations
- 18-months after effective date – standards and best practices
- Publicly available list of deflection programs

Deflection: DA Commitment

21 Letters of
Commitment

Work with local partners:

- behavioral health resource networks
 - community mental health providers
 - community-based organizations
 - peer support organizations
 - law enforcement agencies
 - courts
 - local county and city governments
- Focus on evidence-based solutions, like mobile crisis teams or LEADS-like programs
 - Apply for funding, if needed
 - Participate in the IMPACTS data collection and review process
 - Share barriers (other than funding) with the legislature by September 1, 2024
 - As soon as funding is received, work to immediately stand-up programs
 - Once developed, funded, and stood up:
 - LE divert individuals who are facing a PCS-U charge based off “objective evidence-based national standards”
 - DAs will divert all successful participants away from the criminal justice system and not pursue the PCS-U charge

STATEMENT OF VALUES:

As partners in both public health and believe in, and are committed to our recovery support services to help in health conditions lead to interactor justice system. This is evidenced in the first and only counties to cure Diversion (LEAD) program for ov

STATEMENT OF COMMITMENT

As local partners, including but mental health providers, comm enforcement agencies, district city governments, we have d evidence-based solutions, li



LETTER OF COMMITMENT

STATEMENT OF VALUES:

We the undersigned County, City, Law Enforcement and Behavior Health Partners believe in, and are committed to creating community-based, pre-arraignment pathways for treatment and recovery support services to help in health conditions lead to interactor justice system.

STATEMENT OF COMMITMENT:

We will work with local partners, inc networks, community mental health organizations, law enforcement agi governments to develop County an focus on evidence-based solutions.

We will apply for funding, if needed Treatment, Supports and Services' participate in the IMPACTS data co prevent programs from being stood IMPACTS Grant Review Committee

As soon as funding is received, we communities. Once developed, fur divert individuals who are facing a I standards. Additionally, our District criminal justice system and not pur:

Sincerely,

Jessica Vega Pederson
Multnomah County Chair

Nicole Multn

LETTER OF COMMITMENT

STATEMENT OF VALUES:

We the undersigned County, City, Law Enforcement and Behavior Health Partners believe in, and are committed to creating community-based, pre-arraignment pathways for treatment and recovery support services to help individuals whose substance-use disorder and behavioral health conditions lead to interactions with law enforcement and engagement with the criminal justice system.

lral health resource networks, is, peer support organizations, l and city governments to develop, I focus on evidence-based solu

ss to Community-based Treatr also agree to participate in the unding prevent programs from the IMPACTS Grant Review

LETTER OF COMMITMENT

STATEMENT OF VALUES:

We the undersigned County, City, Law Enforcement and Behavior Health Partners believe in, and are committed to creating community-based, pre-arraignment pathways for treatment and recovery support services to help individuals whose substance-use disorder and behavioral health conditions lead to interactions with law enforcement and engagement with the criminal justice system.

STATEMENT OF COMMITMENT:

We will work with local partners, including but not limited to, behavioral health resource networks, community mental health providers, community-based organizations, peer support organizations, law enforcement agencies, district attorneys, courts and local county and city governments to develop County and/or City specific service plans/programs. Our efforts will focus on evidence-based solutions, like mobile crisis teams or LEADS-like programs.

We will apply for funding, if needed, to the 'Improving People's Access to Community-based Treatment, Supports and Services' (IMPACTS) Grant Review Committee. We also agree to participate in the IMPACTS data collection and review process. If barriers other than funding prevent programs from being stood up, we will work in partnership with the legislature and the IMPACTS Grant Review Committee to identify solutions by September 1, 2024.

As soon as funding is received, we will work to immediately stand-up programs in our communities. Once developed, funded, and stood up, our law enforcement partners commit to divert individuals are facing a PCS-U charge based off objective evidence-based national standards. Additionally, our District Attorney will divert all successful participants away from the criminal justice system and not pursue the PCS-U charge.

The following signatures were collected to demonstrate support. Please note that the short timeline made obtaining signatures challenging. The absence of a signature should not be interpreted as a lack of support.

Kevin Barton
Washington County District Attorney

Sheriff Caprice Massey
Washington County Sheriff

Chief Stacy Jepson
Beaverton Police Department

Chief James M. Colby
Cornelius Police Department

Deflection – Funding HB 5204 Section 15 -16

- \$20.708M
- CJC Grants
- 50% directed to designated counties (signed LOC) within 60-days of effective date:

Baker County

Benton County

Clackamas County

Clatsop County

Columbia County

Crook County

Curry County

Deschutes County

Gilliam County

Grant County

Harney County

Hood River County

Jackson County

Josephine County

Klamath County

Lane County

Malheur County

Marion County

Morrow County

Multnomah County

Umatilla County

Wasco County

Washington County

Improving People's Access to Community-based Treatment, Supports and Services Grant

Section 76

- Administered at CJC
- Grants awarded to counties and federally recognized tribes
 - Applications submitted by county or designee of a county
 - 1 application per county – includes requests for multiple programs within a county
- Mandatory coordinated partners:
 - DA
 - Law Enforcement
 - CMHP
 - BHRN Provider
- Permissive Partners:
 - Treatment provider, local mental health authority, tribal government, peer support, court or local government body

Improving People's Access to Community-based Treatment, Supports and Services Grant

Section 76

- Grant Application Requirements:
 - Description of the coordination with partners
 - Eligible individuals and what qualifies as a successful outcome
 - A description of how the program for which the applicant is seeking funding is culturally and linguistically responsive, trauma-informed and evidence-based;
 - A description of a plan to address language access barriers when communicating program referral options and program procedures to non-English speaking individuals; and
 - A description of how the program coordinator will communicate with program partners concerning persons participating in the program and any other matter necessary for the administration of the program.
- Must be coordinated by or in consultation with a community mental health program, a local mental health authority or a federally recognized tribal government
- Must have a program coordinator with the following duties:
 - Convening deflection program partners as needed for the operation of the program
 - Managing grant program funds awarded under this section
 - Tracking and reporting data required by the Oregon Criminal Justice Commission

Improving People's Access to Community-based Treatment, Supports and Services Grant

Section 76

- Use of Grant Funds:

Section 76(7)(a)(A) Deflection program expenses including but not limited to law enforcement employees, deputy district attorneys and behavioral health treatment workers, including peer navigators and mobile crisis and support services workers.

- Behavioral health workforce development
- Capital construction of behavioral health treatment infrastructure
- Planning grants for the development of deflection programs

Expungement

Section 54 - 56

- Deflection
 - Successful – eligible immediately; DA + LE have 60-days to seal all records
- Cited No Charge
 - 2-years after citation date within 60-days DA + LE have 60-days to seal all records
- Conditional Discharge or Conclusion of Probation
 - Successful – within 90-days of dismissal the Court shall seal all records
- Conviction
 - 3-years from date of judgment within 60-days the Court shall seal all records
- OJD shall develop standardized form DA/defense complete with necessary information and include in above packets

**2024-25 Interim Workgroup on topic

Data Tracking

Section 75

- “For purposes of tracking racial or other demographic disparities in enforcement”.....
- CJC will collect deflection, arrest, charge and conviction data for PCS and DCS
- 1st Report Aug. 31, 2025 – then annually



Racial & Ethnic Impact Statement – HB 4002-24

Oregon Criminal Justice Commission

26 February 2024

BACKGROUND

The Oregon Criminal Justice Commission (CJC) received two written requests from a member of the Legislative Assembly from each major political party requesting a racial and ethnic impact statement pursuant to ORS 137.683 for House Bill 4002-24.¹ As required by ORS 137.683 this statement describes the racial and ethnic impact to the criminal offender population (ORS 137.683(1)) that includes individuals convicted of specific crimes modified in HB 4002-24. There are several components of HB 4002-24 that are not related to the criminal justice system specifically or will not impact the composition of the adult criminal offender population, and this statement does not include discussions of the potential racial and ethnic impact of those components.

KEY TAKEAWAYS

Utilizing data compiled by the Oregon Criminal Justice Commission to calculate the fiscal impact of House Bill 4002-24, the following results are reported regarding potential racial and ethnic impacts of the proposed legislation.

1. The Commission predicts that a racial disparity for Black/African American individuals will be present for the new convictions resulting from legislation regarding “Boyd deliveries.” Annually, the Commission predicts there will be 111 additional convictions across all racial/ethnic groups, 7 of which will be for Black/African American individuals. To reach parity with whites given Census population differences in Oregon, there would need to be no more than 3 convictions annually.
2. The Commission predicts that a racial disparity for Black/African American individuals will be present for the new convictions resulting from legislation regarding possession of controlled substances. The Commission predicts there will be 2,257 additional convictions across all racial/ethnic groups, 103 of which will be for Black/African American individuals. To reach parity with whites given Census population differences in Oregon, there would need to be no more than 74 convictions for Black/African American individuals.

Expansion of Welfare Holds

Section 80-80a

- Expands who can transport to member of mobile crisis intervention team
- Expands 'treatment facility' to 'an appropriate facility'
- Increases 48-hours to 72-hours if incapacitated or danger to self/others

**2024-25 Interim Workgroup on topic

MAT in Jails

Section 81-89

- Includes \$10M allocation to fund medically assisted treatment in jail programs
- CJC grants to cities and counties

SUPPORT

“With this bill, we are doubling down on our commitment to make sure Oregonians have access to the treatment and care that they need,” said Senate Majority Leader Kate Lieber, D-Portland, who co-wrote the bill. Lieber argued HB 4002 will “be the start of real and transformative change for our justice system.”

“We’ve continued to listen to people,” said Lieber, a former prosecutor, who has helped lead the legislative effort to address addiction. “We wanted to have a treatment-first plan but we also realized that we needed law enforcement buy-in. Inaction was not an option.”

“It didn’t appear at the beginning of this process that there was going to be a willingness to do what was necessary to begin to turn the tide,” said Senate Minority Leader Tim Knopp, R-Bend. “I’m glad to stand on the Senate floor today and report: Oregonians, you won.”

OPINION

Editorial: Recriminalization bill offers a necessary start on addressing Oregon’s addiction crisis

Updated: Feb. 25, 2024, 6:46 a.m. | Published: Feb. 25, 2024, 6:45 a.m.



The Joint Committee on Addiction and Community Safety Response holds a public hearing on Measure 110 in Salem on Feb. 8. A proposal that would recriminalize drug possession and call for counties to set up “deflection” programs to steer drug users to treatment would mark an important step in addressing the addiction crisis, the editorial board writes. Mark Graves/The Oregonian

We Urge Your 'YES' Vote on HB 4002A and say 'THANK YOU' Senator Tim Knopp

Thank you to the to the members of the Joint Committee on Addiction and Community Safety Response, legislative leadership and the members of the legislative assembly for developing a bi-partisan solution to provide and restore tools to our local communities to tackle the drug crisis facing Oregon. As families, businesses and communities throughout Oregon face the devastating impacts of our addiction and fentanyl overdose crisis, we believe this measure takes bold and meaningful steps to address the crisis. **Thank you** for answering our calls for solutions that acknowledge the real public safety issues experienced by owners, and tourists throughout Oregon and thank you for developing this proposal in consultation with local governments, public safety experts, business leaders, behavioral health specialists, and addiction service providers. **Thank you for taking bold action to solve this problem during the 2024 Legislative Session. As we shared with the Committee, communities throughout Oregon simply cannot wait until 2025 and beyond for real solutions.**

Vote YES on HB 4002A

“People will die, not only on our streets and in our homes, but in our jails and prisons.

Oregon’s legislative leadership is digging a deep, unconscionable, and costly trench of human suffering by recriminalizing Oregonians experiencing drug addiction.”



Sandy Chung
Executive Director

ACLU Oregon

“There are too many flaws for me to say yes,” said Frederick, after recounting the history of a drug war he said had been designed to target Black people. “I simply cannot have faith that there will be an equal compassionate treatment given the history of these official anti-drug efforts.”



Andy Ko
Executive Director



“We know from the failed War on Drugs and recent history that any decision to recriminalize people struggling with addiction will not solve our addiction crisis, much less our housing and treatment crisis.”

NO ON HB 4002. NO ON HB 4002. NO ON HB 4002.

“The passage of this bill will still be a regression toward the failed war on drugs,” said Rep. Mark Gamba, D-Milwaukie, who said opposing the bill was the toughest vote he’d taken as a lawmaker. “It’s a step backwards for us as a society.”

“Our people are not safe and your response is to recriminalize addiction, creating a horrifying situation where our people will be arrested and jailed,” Ochoa-Sandoval wrote. “We cannot provide our continued presence to the systemic racism that you are legislating through HB 4002. This is not the Oregon we elected you to lead, and it is an Oregon we refuse to accept.”

The coalition includes Imagine Black, Unite Oregon, Urban League of Portland, and Ebony Collective Coalition.

“HB 4002 is a profoundly flawed bill that does not contain the solutions Oregon needs,” said Andy Ko, executive director of the Partnership for Safety and Justice. “Now, instead of focusing all our efforts on fighting for overdose prevention, treatment and crisis outreach, we must also work to lessen the damage that HB 4002 will cause. The impact of disparate enforcement on communities of color also means we will need to press both for racial data reporting and greater expansion of funding for culturally specific treatment programs.”

Upcoming amendments are making HB 4002 WORSE than before.

Here is what we’ve learned:



✘ **HB 4002’s impacts will be severe, harsh, and create more suffering across Oregon,** no different from what a regressive ballot measure would do.

✘ **Counties and police will no longer be required to offer treatment to people instead of jail;** treatment will be optional and depend on the county. Geography-based access to justice is no justice at all.

✘ **Lawmakers are ignoring the fact that there will be no public defense attorneys available** any time soon for the likely thousands of new cases that recriminalization will inject into the criminal system and harm low-income people who can’t afford an attorney.

ACLU Oregon

“The public health approach of expanding treatment without punishment was the right approach, but HB 4002 doubles down on the same mistakes the state made in implementing Measure 110,” said Tera Hurst, director of the Health Justice Recovery Alliance, which supported the 2020 ballot measure that decriminalized drug possession. “Unfortunately, it will be people struggling with addiction — especially those living outside and Black and brown Oregonians — who will pay the biggest price. And our communities will be no safer for it.”

Defense/OPDS Costs

Defense Investment – HB 5204:

- \$3 million for new MAC
- \$3 million for Hourly Attorneys
- \$2.5 million for new State Employees
- \$2 million for new Case Managers and Paralegals
- \$1.7 for increased volume of Preauthorized Expenses
- \$2.1 million for public defense law school clinics will develop the next generation of public defenders through partnerships with Oregon law schools and public defense offices.

Estimated defense impact from HB 4002A:

- 38.82 additional MAC or 86.82 full time hourly attorneys

“...we believe we are only going to be able to provide representation for a portion of the potential cases created by HB 4002. The rest of those cases will go onto the unrepresented list. We have made it clear to the legislature and the Oregon Judicial Department that this will be the outcome.”

HB 5204 – Funding Package \$211.16M

Behavioral Health Capacity and Services

- Shovel Ready Projects \$85.4 Million
- Community Restoration \$7.5 Million
- Access to Medication Assisted Treatment \$10 Million

Behavioral Health Workforce

- United We Health \$4.8 Million
- Higher Education Funding for Behavioral Health Training \$4 Million

Prevention

- ODE Curriculum \$1.99 Million
- Drug Endangered Children Grants \$750,000
- Relief Nurseries \$2,700,000
- Nurse Family Partnership \$3,160,000
- Portland Opportunities Industrialization Center (POIC) \$1,000,000
- Restorative Justice \$4,000,000
- East Metro Outreach Prevention and Intervention Program \$2,500,000
- Jail Re-entry Pilot Program \$500,000
- Women's First Transition Center \$150,000

Coordination and Planning Youth Strategic Plan \$810,000

HB 5204 – Funding Package \$211.16M

Taskforce on Regional Behavioral Health and Behavioral Health Workforce Safety \$400,000

Public Service Campaign and Education \$1 Million

Deflection \$30.54 Million

- Community Mental Health Program funding through the county contracts for behavioral health services related to deflection and diversion \$9.83 Million
- Funding for Oregon Behavioral Health Deflection Program in CJC \$20.71 Million

Public Safety Investments

- Specialty Courts \$12.16 Million
- \$8,190,000 investment into CJC's specialty court programs will fill the gap between courts that applied for funding and the funding that is available.
- \$3,970,000 investment to OJD will fund additional court coordinators that provide stability and coordination for local courts and their partners.
- Funding for the community corrections system \$16 Million
- Public Defense Attorney Capacity \$12.19 Million
- Public Defense Workforce \$2.06 Million

Associated Agency Administrative Investments \$7.56 million

- \$2.96 million for OJD costs related to crime statute changes
- \$3.45 million for CJC to implement deflection grant program and inter-agency coordination, Forensic Lab testing
- \$1.15 million for OHA costs related to expansion of Certified Community Behavioral Health Centers, interagency coordination, and shared services.