

In addition to our endorsement of nine bills introduced in the 2025 Oregon legislative session the Linn Benton Branch of the NAACP declares opposition to proposed House Bill 4002 in its currently amended form. We are distressed by the radical changes to the intent and remedies of Measure 110 engendered in this bill. If our Oregon legislators cannot bring it upon themselves to defeat this proposal, we urge them to consider four important alterations proposed by the American Civil Liberties Union of Oregon and summarized here. Alteration of HB 4002 to include these recommendations would at least lessen the severity of the penalties found in the current reading of HB 4002.

# **Oregon House Bill 4002 is Opposed by the Linn Benton Branch of the NAACP**

## **HB 4002 A**

**Short title / purpose:** End three-year period of drug decriminalization (Measure 110)

**Recommendation:** **OPPOSE**

## **Short summary**

The bill resumes criminal penalties for possessing small amounts of drugs like heroin, fentanyl and meth. It also increases access to medications that ease opioid withdrawal, expands treatment services — including in jails — and alters state law to make it easier to seek stiff penalties for drug dealers. As amended, it ensures that people caught with drugs could face up to 180 days in jail — more than the 30 days Democrats initially pushed for, but less than 365 days Republicans and many law enforcement groups favored.

## **Relevance to NAACP**

- Increased penalties for use of small quantities of drugs disproportionately affects communities of color

## **Other Declared Opposition**

- American Civil Liberties Union of Oregon,
- Latino Network
- Urban League of Portland
- Sen. Floyd Prozanski, D-Eugene, Chair of the Senate Judiciary Committee

## **Flaws**

- HB 4002 is severe, harsh and creates more suffering across Oregon. It won't be much different from the extreme and regressive ballot measure pushed by the Coalition to Fix

and Improve Ballot Measure 110, a group led by the former head of Oregon prisons and funded by billionaires.

- Lawmakers crafted the bill for political reasons, not to solve the state's addiction woes. Measure 110 never received the funding and implementation needed to be an effective drug control tool.
- Counties and police will no longer be required to offer treatment to people instead of jail; providing treatment will be optional. Someone addicted to drugs in one county may be arrested and left to suffer in jail, while a person in the next county over might be offered access to treatment services instead of jail.
- HB 4002 is expected to result in an additional 2,257 convictions for drug possession per year. Black Oregonians would represent 4.6% of those convictions the Oregon Criminal Justice Commission estimated, higher than their proportion of the population.
- Provisions in the bill that appear to prioritize treatment for drug users are false promises that will not be adequately funded, an outcome alike that which now prevents the success of Measure 110. It gives too much leeway to police and prosecutors, who could opt not to offer a defendant treatment as an alternative to jail..
- Our justice system is ill-equipped to handle an onrush of new criminal cases. The Oregon Public Defense Commission declared it would need funding for the equivalent of 39 new attorneys to account for demand increases it anticipates from HB 4002. This will impact the many criminal cases before our courts, and it will harm people who cannot afford an attorney and victims of crime too, whose cases won't be able to move forward.

### **Recommended Alterations**

- There are four "government accountability measures" the ACLU maintains lawmakers must include in the bill if they insist on moving it forward.
  - Bringing back the provision requiring police to offer a person to accept treatment, rather than being booked in jail and having charges filed. Making such an offering voluntary is unacceptable.
  - Phasing in criminal consequences for drug possession only after every county has a system up and running to handle the demand for treatment services.
  - Scaling back the penalties to only apply to people possessing drugs in plain sight would discourage police from using pretext stops to search people for drugs.
  - Setting a date for the new misdemeanor crime to automatically sunset. This will obligate lawmakers to review the intended and unintended consequences, impacts and cost of criminalization and determine if the criminal offense should be continued.