

ACLU Oregon

2024

LEGISLATIVE SESSION REPORT

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A LETTER FROM OUR POLICY TEAM

Dear ACLU of Oregon members and supporters,

As we reflect on Oregon's 2024 state legislative session, we want to express our gratitude to all of you, our more than 27,000 members and supporters. Thank you for your steady and continuing support of the ACLU of Oregon's legislative work in Salem. Thank you for standing with us this session as we confronted formidable challenges and championed causes close to our hearts — together.

Throughout this session, our community fought with courage and care for real solutions to address our state's drug addiction crisis. We also fought with passion and deep conviction to protect students, teachers, and librarians in our public schools from discriminatory book bans and censorship.

Unfortunately, we faced an uphill battle, and we experienced setbacks in both these legislative areas.

An interest group with access to [deep pockets](#) — led by the former chief of Oregon's prison system, funded by billionaires, and supported by police and prosecutors — was successful in pressuring lawmakers to pass House Bill (HB) 4002, which recriminalizes drug addiction in Oregon.

Moreover, due to Republican lawmakers' delay tactics and an agreement they struck with the Democratic House Speaker of the time to end the legislative session early, we were unable to achieve full passage of Senate Bill (SB) 1583, which would have prohibited discriminatory book bans and censorship in Oregon's public schools.

Despite these legislative disappointments, we have much pride and gratitude for how our members and supporters showed up this session.

A LETTER FROM OUR POLICY TEAM

CONTINUED

With both HB 4002 and SB 1583, we rallied far more Oregonians to provide written and verbal testimony for public hearings than the opposition did. The ACLU of Oregon and our partners shared an action alert nearly once per week, and by responding to those action alerts, Oregonians sent more than 25,000 emails to the governor and state legislators. You made your voices heard! Seeing our community engage in the democratic process filled us with optimism and hope.

Even in the face of adversity, an array of lawmakers stood with us as well. They amplified the voices and values of the ACLU of Oregon community. We extend our deepest gratitude to the lawmakers who advocated for justice by voting against HB 4002 and supporting SB 1583. These lawmakers' commitment to values and real solutions — not political theater and false promises — was a beacon of hope in challenging times.

Systemic change requires perseverance, adaptability, and unshakable resolve. Each and every one of you plays an integral role in driving progress, championing meaningful reform, and shaping our collective impact. Together, we have the power to create real change, break down barriers, and build a brighter, thriving state for all Oregonians.

During this session that was dominated by our fight against Oregon's return to the war on drugs, we are reminded of the decades-long work of Dr. Angela Davis, who has been a leading scholar and advocate against the prison industrial complex and racism in our country. Following Dr. Davis's leadership, let us continue to stand together, advocate passionately, and inspire change.



“

I am no longer accepting the things I cannot change. I am changing the things I cannot accept.

”

Let us envision and continue fighting for a state filled with thriving communities, schools, and libraries — not more jails and prisons. Creating an Oregon of greater justice, equity, and care will take time, but we can do it together.

With heartfelt gratitude and optimism,

Jessica Maravilla, Mariana García Medina, and Emily Hawley
ACLU of Oregon Policy Team

HB 4002: RETURNING TO THE FAILED WAR ON DRUGS

In November 2020, [58% of Oregon voters voted to pass Measure 110](#), decriminalizing drug addiction and requiring Oregon to fund treatment — recognizing that drug addiction is a health matter that must be addressed through treatment, not jails and prisons. Less than 4 years later, our state’s lawmakers passed House Bill 4002, which recriminalizes drug addiction and the possession of very small, user-level amounts of certain banned substances in Oregon. Lawmakers knowingly chose to return to the failed, harmful, and violent war on drugs.

The False Promise of HB 4002

Lawmakers say they passed HB 4002 to provide addiction treatment — that the bill creates “offramps” that “deflect” Oregonians away from jail and into treatment. Unfortunately, the bill does not actually do what lawmakers say it does.

The simple fact is that Oregon does not have enough treatment resources. Currently, only about 50% of people who voluntarily seek treatment are able to access it — creating lines of people waiting for treatment. According to a recent [state report](#), Oregon needs more than 3,000 treatment beds at a cost of \$500 million dollars to meet Oregonian’s needs. However, HB 4002 and related bills do not sufficiently address this shortage of treatment.

Even if there was enough treatment for everyone, Oregon suffers from a staggering [shortage of public defenders](#). This makes it likely that most people arrested under HB 4002 will be jailed and subsequently released without treatment or a trial because no lawyer will be available to defend them.

Oregon Capital Chronicle

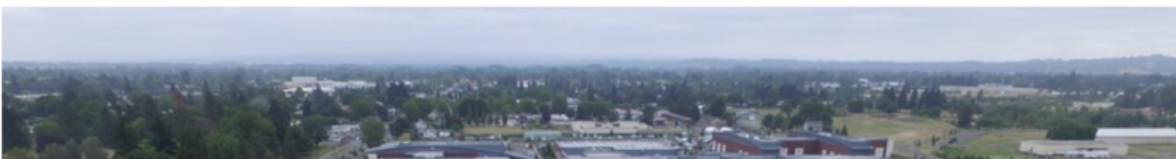
POLITICS ENVIRONMENT EDUCATION ECONOMY HEALTH CRIMINAL JUSTICE ELECTION 2024

GOVERNMENT HEALTH

State report says Oregon needs nearly 3,000 more beds for behavioral health treatment

The state will need more than half a billion dollars to increase the system that much, it says

BY: BEN BOTKIN - FEBRUARY 1, 2024 4:52 PM

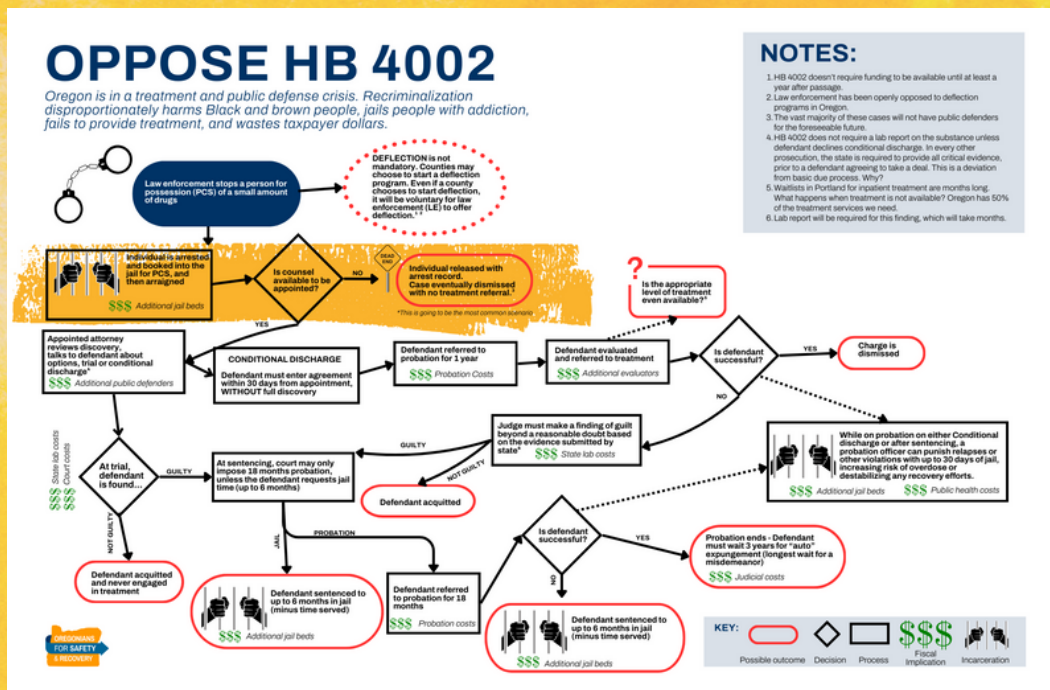


HB 4002: RETURNING TO THE FAILED WAR ON DRUGS CONTINUED

Furthermore, HB 4002 does not actually create the deflection offramps that lawmakers claim it does. Near the beginning of this legislative session, Oregon’s chief justice told lawmakers that our state has very few deflection programs in existence. Lawmakers could have addressed this by requiring the government to create these programs. But they didn’t do this.

Instead, HB 4002 gives counties the option to create deflection programs, and the bill allows police and prosecutors to decide who is offered deflection. We know from decades of data what happens when the government, police, and prosecutors get to decide who gets treatment and who gets jail. People with money, connections, or racial privilege will likely receive the limited treatment spaces, while Black, brown, and low-income people will likely receive jail time without access to treatment.

(Click on the flowchart to enlarge!)



Find this chart confusing? You are not alone. Lawmakers claim that HB 4002 will create “deflection” and “off-ramps” to treatment. But criminal system experts, including public defenders, observe that HB 4002 creates a **massively complicated and expensive system** under which people likely will be **in and out of jail without connection to treatment**. This will harm Oregonians experiencing addiction, waste our limited tax dollars, and further destabilize our already overburdened and unstable criminal system.

HB 4002: RETURNING TO THE FAILED WAR ON DRUGS CONTINUED

Our Communities Put Up a Just Fight

Oregonians and our team at the ACLU of Oregon did not let HB 4002 pass without a fight. At a moment when [moneyed special interest groups](#) showed just how much influence they have on Oregon politics, our coalition built solidarity and spoke truth to power. Community members turned out in the hundreds to contest the recriminalization of drug addiction, outshowing those who pushed for police and jails time and time again.

Our community members came to Salem to tell lawmakers their personal stories: stories of how the war on drugs had robbed them of parents, siblings, and loved ones, and caused lasting and intergenerational trauma that has not yet had time to heal. These stories mattered. Our community's testimony meant lawmakers could not pretend they did not know exactly what they were voting for, showing that they were knowingly restarting the drug wars and choosing to inflict unconscionable government harm and violence on the most vulnerable Oregonians.

Your voices also lent power to the lawmakers who became our champions against HB 4002: House Representatives Chaichi, Gamba, Nelson, and Khanh Pham, and Senators Dembrow, Frederick, Jama, Manning Jr., and Prozanski.



HB 4002: RETURNING TO THE FAILED WAR ON DRUGS CONTINUED

We knew that we faced a steep climb, but we felt it was important for lawmakers to hear from Oregonians who opposed recriminalization. For HB 4002, we called Oregonians in key legislative districts and asked them to tell their state legislators how they felt. The results were incredible: over 4,000 of you contacted your legislators to voice your values. Thank you!

We did not make it easy for lawmakers to return to the war on drugs. Thanks to local bookstore [Third Eye Books](#), we distributed numerous copies of [The New Jim Crow: Mass Incarceration in the Age of Colorblindness](#) to lawmakers.

Scholar Michelle Alexander, a former ACLU civil rights attorney, writes about the war on drugs in this book, observing: "I came to see that mass incarceration in the United States had, in fact, emerged as a stunningly comprehensive and well-disguised system of racialized social control that functions in a manner strikingly similar to Jim Crow." Our Executive Director referenced Alexander's work and made the connection between the criminalization of addiction and systemic racism clear in [the testimony](#) she presented to lawmakers before HB 4002 was passed.

On the day that state lawmakers voted to advance the bill out of the committee stage to a full House vote, we lined the length of the hall from the Senate to the House with our coalition partners. We stood in silence, dressed in black to signify our grief at their actions, wore stickers that read "Your Lies Cost Lives" to call out the misinformation that lawmakers were spreading about "deflection" and "off-ramps," and covered our mouths with black tape to symbolize how [the committee silenced the voices of Black and brown Oregonians](#) by excluding racial justice organizations from meetings and negotiations.

Participating in this action, planned and organized with our BIPOC-led partner organizations, felt powerful. We are tremendously grateful for their leadership, advocacy, and fortitude.



HB 4002: RETURNING TO THE FAILED WAR ON DRUGS CONTINUED

We Will Continue to Fight

The passage of HB 4002 is a devastating blow to Oregon communities, especially our Black and brown communities. The Oregon government's own [racial impact analysis](#) has predicted the enforcement of HB 4002 will disproportionately impact Oregonians who are Black and Latinx. Worse still, we fear this analysis does not predict the full extent of the racial inequities HB 4002 will cause; prior analyses showed even worse impacts on Black and Indigenous people.

Oregon's return to the war on drugs is a nationwide setback. Our state was the national leader in championing an evidence- and health-based approach to addiction by decriminalizing drugs through Measure 110. Lawmakers and agencies [fumbled the implementation](#) of this groundbreaking policy, and the cost of their failure falls upon everyday people — particularly Black, brown, Indigenous, low-income, and rural Oregonians.

We are grieving, but our fight is not over. This session has made our coalition stronger and more unified than ever before, and evidence-based, human-centered policy remains on our side. We will continue onward, pushing our state ever closer to justice.

When Oregonians passed Measure 110 in 2020, our state chose to step forward into the arc of history — towards more justice. Today, Oregon's lawmakers knowingly took us backwards. By passing HB 4002, which recriminalizes drug addiction, they chose to send our most vulnerable neighbors to jail instead of treatment. This is not justice.

However, we are not done.

ACLU of Oregon's 27,000+ members and supporters imagined an Oregon filled with healing and thriving communities, not more jails and prisons. And we took action. Thousands of us engaged in our democracy — calling and emailing lawmakers and submitting testimony. We asked for real solutions including more treatment, housing, prevention programs, community revitalization efforts, and non-police mobile crisis response teams.

We will continue envisioning and fighting for an Oregon of greater justice, equity, and care.

ACLU Oregon

The ACLU of Oregon community has deep gratitude for the representatives and senators who voted 'no' to the false promises of criminalization in HB 4002 — and its unconscionable human and other costs to our state. We especially acknowledge Representatives Chaichi, Gamba, Nelson, and Khanh Pham, and Senators Dembrow, Frederick, Jama, Manning Jr., and Prozanski.

And on a difficult day, we remember the following wisdom from the Mishnah, written texts from the Jewish oral traditions:

Do not be daunted by the enormity of the world's grief.

Do justly, now.

Love mercy, now.

Walk humbly, now.

You are not obligated to complete the work, but neither are you free to abandon it.

With gratitude for the ACLU of Oregon community and all who fight for more justice,

— Sandy Chung, ED, and Jessica Maravilla, Policy Director

ACLU Oregon

SB 1583: FREEDOM TO READ



Books bans have no place in Oregon

In the last two years, Oregon schools and libraries have seen a [sharp increase](#) in discriminatory book ban attempts. The majority of books under attack have been written by or about women, LGBTQ+ people, and Black, Indigenous, and other people of color. Book bans and classroom censorship efforts work to effectively erase the history and lived experiences of marginalized communities.

Responding to the rise in discriminatory book bans, Senator Lew Frederick proposed SB 1583. The bill would have explicitly prohibited book bans and other forms of censorship in Oregon public schools and libraries if the ban or censorship discriminated against a protected class — race, national origin, color, sex, gender identity, sexual orientation, age, religion, physical or mental disability, military status, or marital or family status.

Despite Republican tactics to delay the bill, the Senate passed SB 1583, and it went through the required House committee steps so that the full House could vote on it and send it to the Governor to be signed into law. Although the information we gathered indicated there were enough House votes to pass the bill, then-House-Speaker Dan Rayfield abruptly agreed to end the legislative session three days early, before SB 1583 could be fully voted on by the House.

On SB 1583, we acknowledge the chief sponsors of the bill, Senators Frederick, Steiner, Gelser Blouin, Jama, and Manning Jr., and Representatives Nelson and Sanchez, as well as the senators who supported it on the floor.*

We also acknowledge then-House-Majority-Leader Julie Fahey — now House Speaker — who heard your action alerts and got the bill passed out of committee so it was ready for a full House vote.

**Senators Campos, Dembrow, Frederick, Gelser Blouin, Golden, Gorsek, Jama, Lieber, Manning Jr., Meek, Patterson, Prozanski, Sollman, Steiner, Taylor, Woods, and President Wagner*

SB 1583: FREEDOM TO READ CONTINUED

For the love of reading

At the ACLU of Oregon, we believe in students' rights to read, learn, and share ideas free from discriminatory censorship. We came together with teachers, librarians, parents, students, many of our partners, and our community to support this bill and fight book bans. More than 1,000 people submitted testimony in favor of SB 1583 and lawmakers received over 3,000 emails demanding the passage of the bill. At both public hearings for the bill, our very own Director of Community Engagement, Jackie Yerby, shared a [touching and powerful story](#) of how her grandfather's "racy" novels made a deep impact on a young Black man in the segregated South.

Opponents argue that the issue of book bans is one that urban and rural communities are divided on. However, independent booksellers, our partners at the [Rural Organizing Project](#), and community members in Canby, Seaside, and Enterprise made it clear that Oregonians in rural parts of the state care deeply about the freedom to read, learn, and share ideas.

During the last public hearing for SB 1583 on Tuesday, March 5, we distributed ACLU "I Read Banned Books" pins and brought in tote bags designed by our friends at [The Book Nook](#) in Canby that read: "I read banned books and all I got was smarter." Interestingly, as testimony was being given, a legislator complained to the Oregon State Police that the message on our tote bags was political speech and we were asked to put them away. It is unfortunate that the First Amendment right of young people to read and learn has been politicized by groups with ultra-conservative leanings. It should not be this way.

We anticipate that a bill similar to SB 1583 will be introduced next session and have already heard from you that you are energized for this fight. We are too. The ACLU of Oregon will always fight for the freedom to read and learn.



**FREEDOM TO
READ** 
YES on SB 1583A!

OTHER BILLS WE SUPPORTED

During this legislative session, the ACLU of Oregon's policy team vigorously advocated at the state capitol for many values-aligned policies. Our approach to advocacy is holistic and principled, focusing on advancing and defending democracy, civil rights, and civil liberties, as well as systemic change and empowering marginalized voices. This session, we were pleased to support the passage of many excellent bills that will promote justice, equity, care, and community well-being across the state. You can click on each highlighted name to read and learn more about the bill.

BILLS PASSED



HB 4024

Campaign Finance Reform

HB 4098

Child in Need of Protection or Services (CHIP) Child Care Fund

HB 4083

Stopping State Investments in Coal Companies

HB 4133

Commonsense Limits for Co-Pay Assistance

SB 1502

School Board Transparency

SB 1532

Establishing Immigrant & Refugee Student Success Plan

SB 1533

Expanding Voters' Pamphlet Translation

SB 1552

Oregon Youth Leadership Group

SB 1585

Pilot Program for Hot Meal Supplemental Nutrition Assistance Program (SNAP)

SB 1595

Increasing Exemptions From Wage Garnishment

OTHER BILLS WE SUPPORTED CONTINUED

BILLS NOT PASSED



HB 4070

Community Clinics &
School-Based Health
Centers

HB 4085

Pathways to Protection
& Citizenship

HB 4158

Increasing Childcare
Infrastructure Fund for
Small & Rural Providers

HB 4159

Strengthening
Newcomer Humanitarian
Investment

HJR 202

Quorum & Democracy
Legislative Referral

SB 1560

Compassionate Release

SB 1570

Integrated Community
Center

FUNDING ASKS

Traditionally, short sessions are intended to focus on funding requests and rebalancing Oregon's budget. The ACLU of Oregon believes that our state's budget is a reflection of our values, shaping the priorities and resources allocated to address Oregonians' needs. Accordingly, we crafted our funding requests to reflect our commitment to equity, justice, and community well-being by endorsing the [Fairshot People's 2024 Budget](#).

We were deeply disappointed that Oregon lawmakers did not prioritize immigrant and refugee communities in their budget allocations for this session. Despite our efforts, none of the People's Budget funding requests to support these communities were fulfilled. This lack of investment underscores the ongoing challenges that immigrant and refugee Oregonians face in accessing essential services. As we continue our advocacy work, we remain committed to promoting policies that uplift and empower all Oregonians, particularly those who have been historically marginalized.

Below is a summary of whether our funding priorities as requested were passed or not.

- ✔ **SURVIVAL FUND for emergency domestic survivor assistance programs — \$10.4 million**
- ✔ **RENTAL ASSISTANCE — Various allocations, including:**
 - \$34 million for rent assistance
 - \$7 million for Urban League of Portland housing stability programs
 - \$1 million for outreach to residents of expiring affordable housing units
- ✔ **HEALTHY HOMES PROGRAM — \$15 million**
- ✘ **CLIMATE CHANGE FUND by Oregon Worker Relief**
- ✘ **STUDENT EMERGENCY NEEDS PACKAGE**
- ✘ **UNIVERSAL REPRESENTATION by Equity Corps of Oregon**

✘ Did not pass

✔ Passed

BILLS WE OPPOSED

The ACLU of Oregon also championed democracy, civil liberties, and civil rights by opposing harmful bills. We helped prevent many of the following bills from passing. For bills we could not stop entirely, we worked to reduce the harmful impacts they would cause. Click on each bill name to read and learn more.

PASSED

HB 4122:

Bill Allowing Potentially Dangerous Privacy Invasions by Employers & the FBI

This bill allows employers to share employees' biometric data with the FBI's Rap Back program. We warned lawmakers about the privacy risks involved, particularly for Oregon workers who have received care for abortions or miscarriages as other states seek this type of information to criminalize abortion. We have asked the Governor's Office to review these risks before signing this bill into law.

HB 4156:

Overbroad, Potentially Unconstitutional Bill Regarding Stalking

By drastically expanding the definition of stalking, this bill risks qualifying ordinary, protected speech as stalking. Lawmakers narrowed the language to address some of our concerns but did not address them all. With the Oregon Criminal Defense Lawyers Association and Oregon Justice Resource Center, we requested that the Governor's Office review this bill's constitutionality before it is signed into law.

HB 1553:

Unnecessary, Likely Harmful Bill Regarding Drug Use on Transit

This ban was unnecessary because legislators had already decided to recriminalize drug possession in Oregon by passing HB 4002. Furthermore, drug use on public transit is addiction-motivated behavior — a sign that an individual needs treatment, not jail. However, this bill criminalizes people without connecting them to treatment. Our advocacy helped create limits on this bill so that it is not overly broad.

BILLS WE OPPOSED CONTINUED

DIDN'T MOVE FORWARD

HB 4036 & SB 1555:

House and Senate Republicans' Bills to Recriminalize Drug Addiction & Possession

These harmful bills threatened a devastating return to the war on drugs with even more punitive, non-treatment measures than HB 4002.

HB 4088:

Unnecessary, Likely Harmful Bill Regarding Assaults on Hospital Workers

Safety for all workers, including frontline workers, is important. However, this bill would not have meaningfully improved hospital workers' safety, and it risked criminalizing unintentional or uncontrollable acts by patients with brain injuries, mental illness, and other impairments or disabilities.

HB 4135:

Overbroad, Likely Unconstitutional Bill Regarding Threats of Mass Harm

The way this bill defined threats of mass harm was concerningly overbroad and likely unconstitutional, in part because it likely criminalized protected First Amendment speech rights. Also, these types of laws are concerning because our history shows such laws too frequently used in unjust ways against Black and brown communities, racial justice advocates, environmental activists, and Muslims.

SB 1547:

Harmful Bill Regarding Involuntary Treatment of Adolescents

This bill would have allowed non-consenting youths to be placed in addiction treatment involuntarily. However, according to health care providers and experts, involuntary addiction treatment is not just ineffective but can worsen addiction and overdoses by causing trauma and stigma. Also, involuntary treatment can worsen a community's addiction crisis because people forced into treatment take away limited treatment spaces from people voluntarily seeking treatment.

STAY INVOLVED

Equal Rights for ALL

With the legislative session finished, we're diving back into the [Equal Rights for All \(ER4A\)](#) campaign, which is a project of the ACLU of Oregon, [Basic Rights Oregon](#), and [Planned Parenthood Advocates of Oregon](#).

We will introduce a ballot initiative for the November 2026 election asking voters to update Oregon's constitution to ensure that everyone has freedom and equal rights to make personal decisions and access health care, regardless of one's sexual orientation, gender identity, or ability to become pregnant. By defending Oregonians' ability to make our own healthcare decisions and marry who we love, our forthcoming ballot initiative will stop politicians who want to turn back the clock on our fundamental rights and freedoms.

In partnership with our expanding coalition, we will launch the ballot measure campaign this summer, when we will begin collecting the signatures needed to get on the ballot. [Stay tuned](#) to learn about opportunities for you to support this vital, once-in-a-lifetime campaign!



**SCAN to sign up for
our mailing list to
stay up-to-date!**



Together Conference

We're looking forward to gathering with you on September 21, 2024, in Portland for our upcoming conference, "Together." We're still finalizing the program, but plan for it to be informative, interactive, restorative, and fun. You won't want to miss it — stand by for more information about this event!

YOUR SUPPORT MAKES AN IMPACT

Every time we submit testimony on a bill, we proudly open with:

“

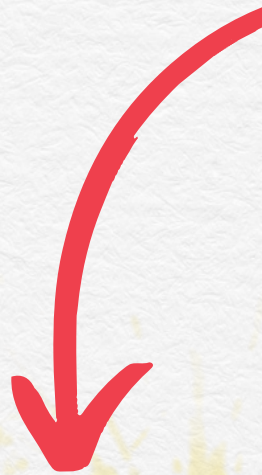
Thank you for the opportunity to provide testimony on behalf of the American Civil Liberties Union of Oregon.

The ACLU of Oregon is a nonpartisan, nonprofit organization dedicated to preserving and enhancing civil liberties and civil rights, with more than 27,000 supporters statewide.

”

Join or renew your annual membership to be a part of this powerful number!

THANK YOU FOR ENGAGING IN AND SUSTAINING THE MOVEMENT FOR A MORE JUST, EQUITABLE, AND CARING OREGON.



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SCAN TO JOIN!

Or go to
<https://tinyurl.com/joinacluor>



APPENDIX

VISIT THIS SPREADSHEET

to check out bill information, testimonies, and other documents relevant to this report.