



To: Members of the House Committee on Judiciary

From: State Representative Maxine Dexter, M.D., House District 33

Date: April 13th, 2021

Subject: HB 2367

Chair Bynum, Vice-Chairs Noble and Power, and members of the committee,

For the record, my name is Dr. Maxine Dexter, State Representative for House District 33, encompassing NW Portland and NE Washington County on the indigenous lands of the Cowlitz, Clackamas, and Grand Ronde. I am grateful for this opportunity today to request your full support for HB 2367, the Right to Rest Act. The criminalization of homelessness is counterproductive in the pursuit of having safe, liveable communities. To punish and fine people who are struggling for a multitude of reasons ignores the driving causes of their struggle while exacerbating the problem. Overall the criminalization of homelessness is likely unconstitutional, is wasteful and is just plain cruel.

We see the impacts of unaffordable housing and lack comprehensive medical and mental health care for our communities all around us. According to the Department of Housing and Urban Development, Oregon had the third-largest increase in homelessness nationwide in 2017¹. This explosion in homelessness has led to a crisis, one that we cannot “sweep” away. No matter where we live in Oregon, the impacts of social stressors and economic disinvestment are before us as we drive through our neighborhoods where homeless communities abound. It is an issue our governments, local, state and federal, must acknowledge their role in creating and effectively address.

In 2015 the U.S. Department of Justice found, in Bell vs. Boise, “It should be uncontroversial that punishing conduct that is a universal and unavoidable consequence of being human violates the Eighth Amendment... Sleeping is a life-sustaining activity—i.e., it must occur at some time in some place. If a person literally has nowhere else to go, then enforcement of [an] anti-camping ordinance against that

¹ <https://aclu-or.org/en/publications/decriminalizing-homelessness-oregon>

person criminalizes her for being homeless.” In order to address the crisis that exists throughout Oregon, we must begin by decriminalizing it. We know that a criminal record is a contributing factor to the persistence of poverty in our society. According to the US Interagency Council on Homelessness, in 2014, it cost \$87 a day to house someone in jail, and only \$28 a day to provide them with shelter². The criminalization of homelessness is costly. In 2019, people living on the streets were 40% of jail bookings by the Portland Police³. There are so many other ways that we can effectively reduce homelessness in our communities that do not punish our most vulnerable community members.

It is imperative that we make investments to reduce homelessness across our state. “Housing First” policies work. When we give people a secure, and if needed, supported place to live they have the ability to find work, get job training and/or an education, address their medical issues and keep their family safe. Investments in housing must also be creative. One size and type absolutely does not fit all. We need transitional housing for those with addiction and mental health challenges, we need cooperative living arrangements and tiny home communities. What we need is the will to address this issue holistically and definitively. Scratching at the edges is not working and this time in history, when our community’s literal health is also at stake, demands much more.

The Right to Rest Act not only has an impact on our homeless community, but on all of us as well. The pursuit of equity starts with bills like this one. Colleagues, please join me in supporting House Bill 2367, the Right to Rest Act as the first step in ending the homelessness crisis.

Sincerely,



Representative Maxine Dexter, M.D.
House District 33 (NW Portland and NE Washington County)

² <https://www.usich.gov/tools-for-action/searching-out-solutions>

³ <https://www.huduser.gov/portal/datasets/ahar/2020-ahar-part-1-pit-estimates-of-homelessness-in-the-us.html>