

**BEFORE THE BOARD OF COMMISSIONERS FOR  
POLK COUNTY, OREGON**

IN THE MATTER OF PROCLAIMING POLK )  
COUNTY'S CALL FOR THE REPEAL )  
OF THE DECRIMINILIZATION )  
PROVISIONS ENACTED PURSUANT TO )  
OREGON BALLOT MEASURE 110 (2020) )

**RESOLUTION NO. 23-13**

WHEREAS, Oregon Ballot Measure 110, the Drug Addiction Treatment and Recovery Act, was passed in 2020 with the promise of reducing crime, improving public safety, saving lives; and increasing access to treatment;

WHEREAS, the evidence shows that provisions in Measure 110 have not achieved their stated goals leading to an increase in overdose deaths and criminal activity in large cities, public nuisance, and a diminished quality of life for the citizens of Polk County Oregon; and

WHEREAS, since Measure 110 was passed, while overdose deaths have increased in areas across the United States, there has been a dramatic increase in overdose deaths in Oregon. In 2020, there were 585 overdose deaths. In 2021, that number increased to 917. As of March 8, 2023, there have been 1,161 overdose deaths confirmed in Oregon for 2022, more than doubling the number experienced just two years prior; and

WHEREAS, Measure 110's enforcement provisions have proved ineffective. As of June 30, 2023, of the 5,299 tickets filed in Oregon Circuit Courts since Measure 110 went into effect, more than 60% resulted in a recipient failing to pay and facing no further penalties. According to the Oregon Judicial Department on line reporting, regarding Class E violations, most of the rest of the tickets were dismissed or are pending. The State audit found that, during its first 15 months in operation, the treatment-referral hotline received just 119 calls at a cost to the taxpayer of \$7,000 per call; and

WHEREAS, Measure 110 has reduced the deterrent effect of drug laws, making it more likely that some people would use drugs. Before Measure 110, the threat of arrest and prosecution served as a deterrent to some people from using hard drugs. Measure 110 has removed this deterrent, making it more likely that some people would use these drugs; and

WHEREAS, increased hard drug and alcohol use can lead to a number of public health issues, including communicable diseases and mental health problems. These irrefutable issues place a strain on our healthcare system and make it more difficult to provide care for people who need it; and

WHEREAS, Measure 110 has also made it more likely that people will commit property crimes. A study by the National Institute on Drug Abuse found that drug users are more likely to commit property crimes than non-drug users. The study found that drug users are 2.5 times more likely to commit burglary, 2 times more likely to commit larceny, and 1.5 times more likely to commit motor vehicle theft; and

WHEREAS, drug users are also more likely to be involved in drug trafficking. A study by the United Nations Office on Drugs and Crime found that drug users are 2.5 times more likely to be involved in drug trafficking than non-drug users; and

WHEREAS, Measure 110 has reduced law enforcement's ability to effectively enforce drug manufacturing and delivery statutes; and

WHEREAS, the costs associated with drug use are significant. A study by the RAND Corporation found that drug use costs the United States \$1,000,000,000,000 (trillion) per year in crime, healthcare, and lost productivity. The National Institute on Drug Abuse estimates that drug use contributes to 1 in 5 violent crimes and 1 in 7 property crimes. The Centers for Disease Control and Prevention estimates that drug use costs the United States \$74,000,000,000 (billion) per year in healthcare costs; and

WHEREAS, members of law enforcement and the criminal justice system have reported that Measure 110 has made it more difficult to motivate drug users to enter treatment. The threat of arrest and prosecution can be a motivating factor for people to enter treatment. Measure 110 has removed this motivating factor, making it more likely that people would continue to use drugs and not seek treatment. This is especially true for people who are struggling with addiction and who may need the structure and support of a treatment court or inpatient treatment program; and

WHEREAS, Measure 110 has reduced the quality of life for Polk County residents. Hard drug use is often associated with public nuisance behavior, such as loitering, littering, aggressive panhandling, and increased criminal activity. This has led to a diminished ability to safely use parks and other public spaces inhabited by drug users and limits local governments' ability to maintain quality public spaces; and

WHEREAS, Measure 110 provides recurring cannabis tax revenue to sustain expansion of treatment services in Polk County; and

WHEREAS, we, the Polk County Board of Commissioners, Polk County Sheriff and Polk County District Attorney believe the derogatory effects and long-term threats to the health, safety, and welfare to the Citizens of Polk County by Measure 110 should be acknowledged and that Measure 110 should be repealed.

Now, therefore, be it resolved by the undersigned that:

1. The DECRIMINALIZATION provisions enacted pursuant to Oregon Ballot Measure 110 need to be repealed to protect the public health, safety, and welfare.
2. The Oregon Legislature must immediately encourage a revised ballot measure for voters to consider .
3. The Oregon legislature must take informed and deliberate action to enable recurring funding solutions that allow the treatment needs for those that are eligible through the justice system as well as the behavioral health systems to avoid incarceration and purposefully bring these people in need to a means of self-sufficiency and safe living.

Dated: September 20, 2023 at Dallas, Oregon.

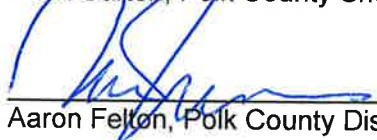
POLK COUNTY BOARD OF COMMISSIONERS

  
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Mark Garton, Polk County Sheriff

  
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Aaron Felton, Polk County District Attorney

Approved as to Form:

  
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Morgan Smith  
County Counsel