

# Clackamas County Commissioners Want to See if Voters Are Willing to Recriminalize Drugs

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## Measure 110 has plenty of critics because of the surge in overdoses.

Are Clackamas County voters done with Oregon's drug decriminalization law, passed in 2020?

Inquiring minds on the Clackamas County Board of Commissioners want to know. They are exploring whether to ask voters on the November ballot if they want to overturn Measure 110, the referendum that reduced penalties for possession of personal amounts of most drugs from a misdemeanor to a violation.

Clackamas County Counsel Stephen Madkour and members of his staff plan to brief commissioners on the matter June 7, according to a policy session worksheet issued by the county.

"As part of the Project Turnkey discussion, the board expressed interest in referring a question to the voters concerning Measure 110," the worksheet says.

Project Turnkey is a state-funded grant program run by the Oregon Community Foundation that purchases old motels and turns them into housing. Clackamas County commissioners reversed course in March and nixed a previously approved plan to buy a Quality Inn and turn it into transitional housing.

A proposed ballot title for the Measure 110 inquiry, according to the worksheet, is: "Should the Oregon Legislature criminalize possession of certain hard drugs, specifically, heroin, cocaine, methamphetamine, MDMA, LSD, psilocybin, methadone, and oxycodone?"

By including psilocybin, the active ingredient in magic mushrooms, Clackamas County is asking voters to reconsider Measure 109, too. That initiative legalized the use of psilocybin in strictly regulated settings.

County commissioners held their first meeting on the ballot inquiry April 19.

Measure 110 has become a lightning rod for critics who see rising drug overdoses and link them to weaker penalties for possession. As of May 16, there had been 85 overdose deaths in Portland in 2023, up 46% from the same period last year, according to the Portland Police Bureau.

Advocates for Measure 110 say the new system is better than incarcerating drug users, a strategy the U.S. tried for decades, filling prisons with people who would have benefited more from treatment.

“If this is even legal, it is irresponsible and reckless,” says Tera Hurst, executive director of the Oregon Health Justice Recovery Alliance, an organization that advocates for implementation of Measure 110. “It brings unnecessary uncertainty to the people in Clackamas County who are counting on Measure 110 services, and the 16 local providers who have been allocated more than \$14 million in substance use recovery services and have been working hard to save lives and help families in the community by using a public health response rather than the expensive and ineffective criminal justice system to treat addiction.”

So far, the Legislature has had little appetite for repealing Measure 110. State Rep. Lily Morgan (R-Grants Pass) introduced a bill to do just that, but it languished in committee. (And at any rate, few bills have much hope for passage this year as a Republican walkout drags on.)

Under Measure 110, the \$100 fine for possession can be waived if the offender calls a phone number seeking drug treatment. As of May 17, only 32 people in Multnomah County had done it, according to data from Lines for Life, the nonprofit that staffs the hotline. Of those, only five had submitted paperwork to get their fines waived.