



## Letter to Gov. Kotek: Ballot Measure 110 issues

The Honorable Tina Kotek  
Governor of Oregon  
State Capitol  
900 Court Street  
Salem, OR 97301

Dear Governor Kotek,

We write today asking you to act to amend Ballot Measure 110 by again making possession of Class I federal narcotics state crimes, including punitive sanctions for both adults and minor-age children.

Since passage of the measure in 2020 and implementation in 2021, communities in our county — and statewide — have seen increased drug use and overdoses, increased property crimes and families and children suffer.

Roger Nyquist, chair of the Linn County Board of Commissioners, believes the intent of Ballot Measure 110 is “not coming to fruition ... addiction is up and the number of people accessing treatment is down.”

The recent audit of the measure supports our belief that while Ballot Measure 110 was well intentioned, it is not living up to expectations and is, in fact, causing harm in our communities.

Our schools, law enforcement and Juvenile Department officials all agree that reclassifying possession of hard drugs as misdemeanors has lessened young people’s understanding of the long-term consequences of illicit drug use.

Andy Gardner is superintendent of Greater Albany Public Schools, which serves more than 9,200 students.

He believes Ballot Measure 110 has “profoundly impacted how our kids view drugs”, adding “Oregon adults now have more access to controlled substances than ever before and now face fewer repercussions for possession or usage.” He is worried that the acceptance of drug use in Oregon will create addiction issues at younger ages and will “affect future generations of kids.”

“Ballot Measure 110 is a disaster,” Linn County District Attorney Doug Marteeny said, adding that advocates saw it as something that would increase treatment for addicts, but that is not the case.

Marteeny added, that since the passage of BM 110, overdose deaths are up, theft crimes are up, the number of addicted people living on the streets is up. All of this strains systems put in place to improve community livability and safety.

“We need to always remember that one function of law is to declare moral standards of the community. Law communicates the expectations we all have for one another,” he said. “Checking out of reality by ingesting highly addictive and deadly substances is a poor life choice. Our laws should reflect that value. Our children learn much from the culture our laws

create.”

Linn County Sheriff Michelle Duncan spent several years working drug cases.

She said that often, it took an arrest and a court appearance for someone with a drug addiction to “hit rock bottom” and realize they needed help. Sheriff Duncan firmly believes possession of hard drugs should return to a major crime status. She said there needs to be consequences for bad actions.

“There is no stigma about drug use anymore,” Sheriff Duncan said. “Kids think it’s OK because there are no consequences.”

Increased drug use is also having detrimental effects for the county’s homeless population, Sheriff Duncan said. “Drugs cause mental health issues and people with mental health issues often self-medicate with illicit drugs, which makes their mental health issues worse,” Sheriff Duncan notes.

Local shelters are seeing increased drug overdoses to the point the need for Narcan and training was a topic at a recent meeting of local groups interested in helping homeless people in Albany.

Torri Lynn, director of the Linn County Juvenile Department said that although Ballot Measure 110 is supposed to redirect funds to treatment programs, virtually no money was designated for juvenile programs. Lynn said that in 2021, Senate Bill 817, “eliminated all fines and fees for juveniles”, affecting the Juvenile Department’s ability to respond to any citations with anything other than providing a phone number to the hotline for a youth who is in possession of heroin, methamphetamines or cocaine.

The state audit showed statewide the cost of operating a telephone hotline for people cited with drug possession, cost \$7,000 per call. Of about 100 callers, only 28 actually asked for addiction recovery services assistance. The majority of assistance was sheltering and needle swaps.

“The recent Secretary of State’s audit of BM 110 doesn’t even mention juvenile services, probably because there was nearly nothing spent on juvenile services,” Lynn notes. He also points out that sex trafficking of minors will likely increase, since drug use is a common element in that issue. “If no one is citing or getting arrested for possession, then it makes it nearly impossible for the Juvenile Department to assist in identifying youth who are being sexually trafficked,” Lynn said.

Justin Thomas, director of Linn County’s Alcohol & Drug Programs, said “The unfortunate downside of the measure is that more people may be using substances with the assumption that there are little to no consequences since the legal ramifications have been drastically reduced.

“The practice of making substance use more socially acceptable is troubling to treatment providers because of the progressive nature of addiction that occurs

when one uses substances consistently over time. In Linn County, we have not seen a decrease in the requests from people to access alcohol and drug treatment with the implementation of Measure 110.”

Local businesses are seeing increased issues stemming from community drug use. Janet Steele, president of the Albany Chamber of Commerce, said that organization is “extremely concerned that the state has legalized the possession of small amounts of all drugs, including cocaine, LSD, meth and oxycodone.”

Steele said mental health and homeless issues have reached the “crisis stage” in Oregon and the use of illicit drugs can be linked to those issues. “Like Albany residents, businesses are seeing the negative effects of Oregon’s drug laws and face the day-to-day reality of people with addictions and homeless issues harming themselves, employees, customers and buildings,” Steele said.

In a letter to the City Council, Albany Mayor Alex Johnson II said the community is doing what it can to combat drug and homeless issues, “However, the increases in vandalism, disruption of operations, assaults and littering are very evident around our city. These criminal acts put the citizens of Albany, as well as Albany businesses, at risk. They endanger staff and facilities, impact productivity and damage our ability to attract investment and create healthy economic growth. The current situation cannot be allowed to continue.”

Our state is suffering from issues surrounding illicit drugs. The time to act is now. Proponents of Measure 110 want to wait a few years to see if it can work. With what we have seen in our communities in the last two years, we do not believe we have that luxury as a society.

At the rate of decline in services and increase in addiction, overdose and crime rates, we are heading to a point we cannot dig ourselves out of. We are asking you to protect future generations and rescind Ballot Measure 110 now.

Sincerely,

Albany Chamber of Commerce President Janet Steele

Albany Mayor Alex Johnson II

Greater Albany Public Schools Superintendent Andy Gardner

Linn County Commissioner Roger Nyquist

Linn County Commissioner Sherrie Sprenger

Linn County Commissioner Will Tucker

Linn County District Attorney Doug Marteeny

Linn County Sheriff Michelle Duncan

Linn County Juvenile Director Torri Lynn

Linn County Alcohol & Drug Director Justin Thomas

Sweet Home Mayor Susan Coleman