

The Drug Addiction Treatment & Recovery Act Frequently Asked Questions

What is the Drug Addiction Treatment & Recovery Act?

The Drug Addiction Treatment & Recovery Act decriminalizes personal possession of small amounts of all drugs while expanding access to addiction treatment and other health services. People will no longer be arrested and jailed for small amounts of drugs, which saddles people with lifelong barriers to employment and housing. Instead, they will be connected to health and recovery services, including housing assistance, to help them get their lives back on track.

How does the Act work?

The Act consists of five key components:

- 1. The new law will utilize and expand existing community-based providers** as addiction recovery centers to provide services throughout the state to immediately assess the needs of people who use drugs and link them to treatment, care and services.
- 2. Drug possession will be decriminalized**, reducing criminal possession offenses from misdemeanors to civil infractions. Instead of arrests and criminal records, people found to be possessing small amounts of drugs will be cited and fined \$100. They will be given the phone number for a 24/7 hotline to connect them with a local peer support specialist. The peer will conduct a social services needs assessment. Upon completion, their fine will be waived and they will be linked to vital services.
- 3. It increases access to vital services**, including:
 - **Behavioral Health Treatment** that is evidence-based, trauma-informed, culturally specific and patient-centered;
 - **Peer support and recovery services** designed to help people remain on a pathway of recovery;
 - **Housing** for persons with Substance Use Disorder;
 - **Harm reduction** interventions including overdose prevention, access to naloxone hydrochloride and other drug education and outreach.
- 4. Services will be paid for with grants** from excess cannabis tax revenue above \$45 million a year and law enforcement savings.

- 5. It guarantees oversight and accountability.** The Act establishes an Oversight and Accountability Council composed of people with lived experience and addiction and service delivery experts. Supported by the Oregon Health Authority, the Council will determine how funds will be distributed to grant applicants for increasing community access to care. The Secretary of State will conduct financial and performance audits every two years.

Does the Act require building new Addiction Recovery Centers?

No. Addiction recovery services will utilize and expand existing community based providers; to immediately assess the needs of people who use drugs and link them to treatment, care and services. The Act ensures that addiction recovery services, including behavioral health treatment, peer supported recovery, harm reduction, and housing, will be present in each [Coordinated Care Organization](#) Service Region.

How will the Act reduce racial disparities?

Independent government research released by the Oregon Criminal Justice Commission found that disparities in drug arrests and convictions will nearly be eliminated through the Drug Addiction Treatment & Recovery Act. Specifically the report found:

- Racial disparities in drug arrests will drop by 95%;
- Convictions of Black and Indigenous Oregonians will drop by 94%;
- “This drop in convictions will result in fewer collateral consequences stemming from criminal justice system involvement, which include difficulties in finding employment, loss of access to student loans for education, difficulties in obtaining housing, restrictions on professional licensing, and others,” the report says.
- The actual reduction of disparities could be even more dramatic. “Other disparities can exist at different stages of the criminal justice process, including inequities in police stops, jail bookings, bail, pretrial detention, prosecutorial decisions, and others.” However, the Criminal Justice Commission could not obtain local data on such disparities.

How is the Drug Addiction Treatment & Recovery Act funded?

The Act is funded through cannabis taxes above \$45 million a year, and law enforcement savings from reduced arrest and adjudication of drug offenses:

- **Marijuana Tax Revenue:** The state estimated that when marijuana legalization was fully implemented, tax revenue would reach \$17- \$40 million a year. It’s now much higher. Programs originally slated to receive portions of this revenue will continue to receive the first \$45 million. Revenues above \$45 million will be directed to fund additional drug treatment, recovery, harm reduction and sober housing services across Oregon.
- **Law Enforcement Savings:** A state analysis projects the Act will save the criminal justice system an estimated \$24.5 million in the 2021-2023 biennium because of fewer arrests and incarcerations. This savings will go toward the addiction recovery centers.

What impact does the Act have on education funding?

The Oregon State School Fund will continue to receive \$36 million per biennium from cannabis revenue. The projected impact of the Act on the K-12 education budget is 0.4%, which will need to be made up from other sources. Since marijuana was legalized in Oregon, the school funding budget has increased by over 20% while general fund support of drug addiction services has declined by 85%. That severe disinvestment in treatment and recovery is being felt across Oregon, including in Oregon schools. Drug addiction, criminalization of addiction, and lack of trauma-informed, culturally-responsive services all do damage. That is why educators overwhelmingly agreed that it was time to dedicate more resources to provide a pathway to recovery for students and families experiencing addiction.

How much money will the new law generate?

The new law will generate between \$103 million to \$157 million a year for services -- four to six times more than what Oregon currently spends on non-Medicaid funding for addiction services.

Why should the Oregon legislature fully fund the Act now?

The Oregon Legislature has a duty to honor voters' wishes and invest in treatment. People experiencing substance use disorder — and their loved ones — can't afford to wait. Two out of three Oregonians know someone impacted by substance use disorder. When we lose one person to addiction, that loss creates ripples and impacts all of us. The COVID-19 pandemic is making Oregon's addiction crisis even worse. The Oregon Health Authority recently reported that drug overdose deaths in Oregon were up 70 percent this spring compared to that same time last year. The Drug Addiction Treatment & Recovery Act offers a much needed solution to help Oregonians and their families now, at a time when Oregon's addiction crisis is growing. We owe it to Oregonians to make sure that the Act is fully funded, without delay.

Who supports the Drug Addiction Treatment & Recovery Act?

- **Oregon Voters:** Oregonians in counties, both large and small, voted overwhelmingly in favor of the Act during the November 2020 election, passing it by a 17-point margin.
- **Leading Voices in Addiction Services and Criminal Justice:** Including every addiction doctor at OHSU, the former director of Mental Health and Addiction Services for Oregon, the co-founder of Oregon Recovers, four district attorneys, and the retired Multnomah County Chief Criminal Judge who has probably handled more drug cases than anyone else in Oregon.
- **Community Organizations:** The campaign to pass the Act into law received organizational endorsements from more than [140 organizations](#), including the American College of Physicians, the Oregon Nurses Association, the Oregon School Psychologists Association, the Oregon Academy of Family Physicians, the Oregon Public Health Association, Central City Concern, White Bird Clinic, ACLU, the Coalition of Communities of Color, the NAACP, the Confederated Tribes of Grand Ronde, the Latino

Network, Planned Parenthood, AFSCME, SEIU, UFCW, AFL-CIO, and IBEW.

The Oregon Health Justice Recovery Alliance, the newly formed coalition working to ensure that the Act gets fully implemented, is made up of over 65 community organizations from across the state -- all of whom bring deep knowledge and experience working to serve and strengthen local communities.