

they are housed in a specially designed and separately secured holding room within the evidence facility. Once there is a sufficient quantity to warrant the substances being taken to the Brooks burn plant, property and evidence custodians do so and observe the destruction," Trump said.

Police can still arrest those in possession of more than specified amounts and the courts will still prosecute those suspected of dealing controlled substances, said Amy Queen, spokesperson for the Marion County District Attorney's Office.

"The DA's office will still see the citations if they are connected to another crime, but we no longer have authority to do anything to prosecute in those situations," Queen said. "We will do everything we can to connect those individuals to treatment though."

In simplest terms, BM110 transitions from treating addiction as a crime and, instead, as a public health problem with the goal of expanding access to addiction services for members of the community – generally black, indigenous and people of color – disproportionately affected by criminal penalties.

Because the law took effect Feb. 1, services to provide addiction treatment still lag behind need. Justin Neilsen, executive director of Keizer-based Oregon Recovery Behavioral Health, BM110 is an experiment and the outcomes are unknown.

"Court-mandated treatment has been shown to be highly effective, but even now there is a lack of spaces for treatment," Neilsen said. The state has

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— **RON WILLIAMS**

Spokesperson, OHJRA

until Oct. 1 to stand up the new treatment centers.

Neilsen doesn't see the addiction screening as an effective way to get addicts into treatment services.

"Statistically speaking, it takes 12 interventions on average for the person to become or obtain sobriety. We can't count what is essentially a first-step assessment as an intervention," Neilsen said.

Even with treating possession as a crime, the prior system was trying to achieve more parity across racial and socioeconomic fractures.

"We are already moving to more equal reimbursement for the same services," Neilsen said. When the Oregon Health Plan and private insurance plans do not pay similar rates for services,

the less fortunate patient can find it more difficult to find services.

Counteracting structural prejudices is the essential goal of BM110, said Ron Williams, outreach coordinator for Oregon Health Justice Recovery Alliance and a member of the Oversight and Accountability Council, an appointed board helping set policies needed as a result of the new law.

"Substance use disorder is not a crime. It should not be considered in the criminal context, the issue that needs to be treated as a health issue. There will still be laws on the books to deal with the actual criminal elements that distribute drugs and who are a greater threat to the community," Williams said. Currently, Oregon is 47th in the nation for access to addiction treatment, the third highest in untreated addictions and there's been a 70% increase in overdose death in the past year with the onset of the COVID-19 pandemic.

"If this is a success, we will see access improve, and decrease in untreated addictions and a decrease in overdose deaths," Williams said. "We will see increases in treatment beds, the number of counselors and the number of mentors assisting addicts through recovery."

Still, there are those who remain unconvinced.

Judge Eric Bergstrom, a Multnomah County Circuit Court Judge, is part of a judicial outreach organization with contacts across the nation and he's been flooded with questions about what is happening.

"Judges in Oregon have already been empathetic to the needs of addicts. Drug courts and intensive supervision programs have high success rates and low recidivism rates," Bergstrom said. "Now those aren't even an option, and I think we will lose participation in treatment programs because of the new law."

Because the penalties are now so low, Bergstrom said there isn't enough stick to encourage people to chase the carrot of addiction treatment.

"Those fines will never be paid and there's no incentive to seek out treatment. No one is going to care about a \$100 fine or pay it, those tickets are just going to be torn up," Bergstrom said.

He worries that local police agencies will stop making contacts with those suspected of user-amount possession and cut off another pathway to treatment.

The answer to whether the approach is effective is likely years, if not decades, away.

In the meantime, it might be easiest to think about the experiment in the same vein as the Americans with Disabilities Act. Creating ramps on curbs helped every person carrying heavy bags and pushing a stroller in addition to those with mobility issues. BM110 may or may not prove to be as effective.

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