

Colin Murphey/The Daily Astorian

Grant Osborn replaces a jar of marijuana to the display case at Sweet Relief in Astoria.

Warning: 'I think Brown and Oregon won't be able to be so casual with this'

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Sessions said he would let federal prosecutors in each state decide where they would focus their enforcement actions, but states that have legalized marijuana are not exempt from federal drug laws.

However, it's not clear that the announcement will lead to drastic changes in the way that federal officials in Oregon handle pot.

Billy Williams, the U.S. attorney for Oregon, released a statement saying he and his peers have been directed to use reasoned discretion in prosecuting marijuana-related crimes.

"We will continue working with our federal, state, local and tribal law enforcement partners to pursue shared pub-

lic safety objectives, with an emphasis on stemming the overproduction of marijuana and the diversion of marijuana out of state, dismantling criminal organizations and thwarting violent crime in our communities," he said.

Oregon Attorney General Ellen Rosenblum said the state Department of Justice would "continue to make sure Oregon's marijuana industry thrives under our carefully considered state regulatory requirements."

Rosenblum, who characterized Sessions' decision as overreach, made no indication of specific next steps other than she "valued her working relationship" with Williams and looked forward to working with him.

"This is an industry that Oregonians have chosen —

and one I will do everything in my legal authority to protect," Rosenblum said.

The Oregon State Police a year ago released an analysis of the state's compliance with the Cole memo in light of legalization. The analysis concluded that supply vastly outstrips demand, and that Oregon supplies much of the black market marijuana around the U.S.

While consumers and people selling recreational marijuana likely don't need to worry about federal authorities knocking down their doors, the report bears some looking at, Marquis said.

"I think Brown and Oregon won't be able to be so casual with this," he said.

Oregon's congressional delegation and state political leaders were swift in

their condemnation of Sessions' announcement, arguing the Trump administration is being hypocritical on a common Republican refrain of states' rights and threatening to disrupt a burgeoning industry.

Oregon collected more than \$108 million in taxes from marijuana sales between January 2016 and August. In May, the state Employment Department estimated more than 3,500 people employed in marijuana-related businesses, with wages nearing \$23 million. The Oregon Health Authority estimated that dispensaries in 2016 had \$79.4 million in sales to medical marijuana cardholders and \$215.3 million to recreational customers.

Withycombe reported from the Capital Bureau in Salem.



Joshua Bessex/The Daily Astorian

Prosecutor Ron Brown makes an argument during a court hearing in 2015.

Brown: Marquis has offered his endorsement

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More than a decade later, Brown may finally have his chance. He will file to run in the May election for district attorney following Marquis' announcement he will not seek another term.

"I feel like I want to continue on with a lot of things that Josh has done, and I want to add to a lot of things that Josh has already done," Brown said. "He and I see eye to eye on virtually — just about — anything I can think of. There's just a little bit of work that I'd like to try to do on my own and to take on the challenge."

Marquis has also offered Brown his endorsement.

"He has the respect and admiration of the office because of his toughness at trial and his deep commitment to victims," Marquis wrote in a guest column for The Daily Astorian.

The resumes of Marquis, 65, and Brown, 63, often intersect. Both studied law at the University of Oregon in the late 1970s and dabbled in criminal defense law between prosecutorial stints in Lincoln, Deschutes and Lane counties.

"Even when I was a young criminal defense lawyer, in a lot of cases, I felt strongly toward the prosecution side of things," Brown said. "A lot of times my job was not to get my client off, because my client was dead in the water. It was to try to get him the best plea bargain I could get, and that was not a very satisfying thing just to get the best deal for you on your DUI or whatever type of case."

Despite the district attorney's office's tough-on-crime reputation in recent decades, it seeks only the just — not the maximum — sentences, Brown said.

"When I was younger, it seems like you're more interested in your batting average in terms of how many wins and how many losses that you have in terms of cases and how much you're crushing the other side in court," he said. "The older I've gotten, I've seen it's not nearly as black and white as that. I just like to make a difference on a personal level, and I think I'm getting more satisfaction out of that than I ever have."

Near-death experience

One near-death experience in 2002 may have shifted Brown's thinking. As a chief deputy in Crook County, Brown, his wife Tiffany — now the Clatsop County emergency manager — and their three young children had to flee their home one morning. A man Brown had prosecuted for several misdemeanors had attempted to burn his house down.

"That was a king-size bummer," Brown said. "We were all having a tough time sleeping for a long time."

Nathan Wayne Galloway — 19 at the time of the fire — was convicted of arson, attempted aggravated murder and first-degree burglary and sentenced to roughly 20 years in prison.

The ordeal allowed Brown, who carries a handgun after receiving death threats in a separate case, to

view prosecution from the victim's point of view.

"His commitment to victims in homicide and sexual assault cases makes him a 'working DA,' the kind voters in this county have every right to expect," Marquis said.

Brown has not, though, experienced the worst type of crime for victims who live to see a court case unfold.

"There's probably no more messed up thing in your life than to be sexually abused," Brown said. "Your victims in murder abuse cases are people you never meet. You have to work with a live victim, obviously, and you develop a real rapport with certain kinds of victims."

The district attorney's office may see some expansion in that area. Brown has proposed adding a mentor program to the victim's services unit that would connect past survivors with current ones during and after court cases.

"Actual victims can maybe even relate better to what a victim is going through than the family members," Brown said.

Brown's plans may also include advocacy for expanded specialty courts. The Circuit Court already conducts mental health and drug court hearings, but Brown suggested adding treatment for veterans as well.

"I don't know whether we've got enough veterans in the area to warrant a whole court for them, because there's only so many specialty courts that we have time for or room for, but I'd be open to that."

Experience

In his campaign, Brown will likely stress experience as his key selling point.

"I live here. I'm familiar with all of the issues in the community as far as the biggest types of crime, the biggest things that we need to try to educate people about, and I'm the most qualified right now," Brown said. "If you want somebody to take a case in and try it, I'm the most experienced person around."

Among the new district attorney's largest challenges, Marquis said, will be the state's move toward diverting money away from incarceration and a high release rate at the overcrowded county jail.

"The state is being dominated by people who do not believe people should go to prison," Marquis said. "I think that's going to be a challenge for the new DA that I didn't have to deal with."

David Rogers, the executive director of the American Civil Liberties Union of Oregon, is hopeful that leadership turnover will lead to reforms.

"This is an opportunity to not only get to know where the candidates stand, but this is also an opportunity to see improvement and change within the criminal justice system," Rogers said. "There's a lot riding on this."

Should he be elected, the job would "absolutely" be his last, Brown said.

"I just think it's time," he said. "It's time for me, and it's time for the office."

Kits: 'Agencies are having overdoses left and right'

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Warrenton Police Chief Mathew Workman said he has been trying to get the kits since a young man was found dead on a friend's couch in Warrenton in April after swallowing a pill form of the synthetic opiate U-47700, nicknamed Pink. The overdose was the county's first death from the synthetic opioid.

The kits and training are part of an effort to create a safer culture among officers, such as wearing protective equipment when searching people and property rather than reaching in with bare hands, Workman said.

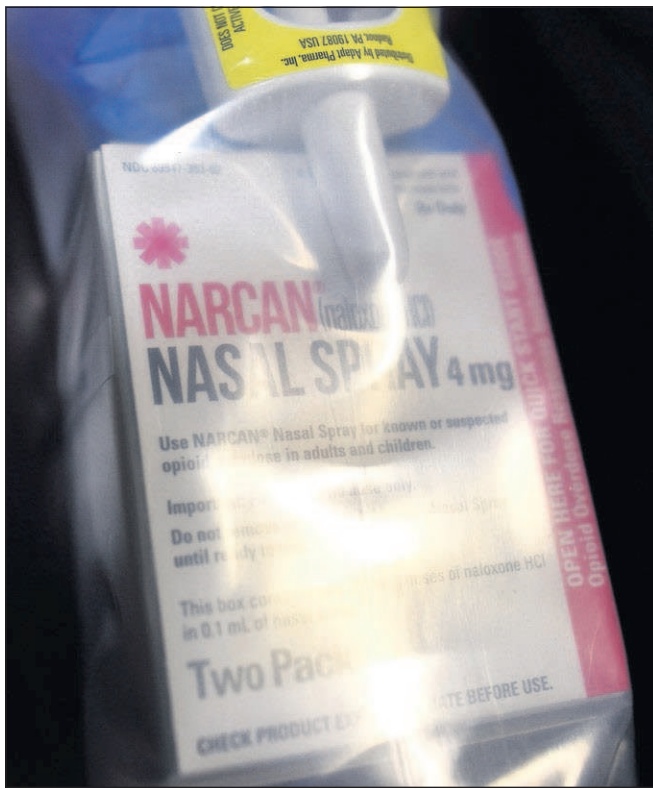
"We do that a lot when we're patting someone down and we get them in cuffs, and then we just start reaching," Workman said. "We need to take that extra second. They're in cuffs. Put your gloves on, whatever your (protective equipment) is. The scary thing is you almost want to double- or triple-glove now because it's so potent."

Overdose deaths

Between 2014 and 2016, 779 people died of overdoses in Oregon, a significant jump from the 257 who died between 1999 and 2001, according to the Oregon Health Authority. Dr. JoAnn Giuliani, the county's medical examiner, reported six accidental overdose deaths in the county in 2016 and three last year.

"The numbers were much higher when methadone and pills were more generously prescribed," she said in an email. "That has slowed, thankfully."

During the North Coast Opioid Summit in Seaside in 2016, Workman was approached about possible grant funding for the naloxone kits through High Intensity Drug Trafficking Area, a drug prohibition enforcement program run by the U.S. Office of National Drug Control Policy. But adoption was slowed by the requirements



Photos by Colin Murphey/The Daily Astorian

Naloxone or Narcan is a medication that quickly treats a patient for opioid overdose.



The kits carried by Warrenton officers will also include supplies to enhance their safety while treating patients for opioid overdose.

that come with carrying overdose kits.

"Oregon's rules ... said you have to have a medical physician to oversee your program, and you also have to have a medical physician give you a prescription for the naloxone," Workman said. "So I approached several local doctors. All were interested. None of them could do

it because their malpractice insurance would not bring us on into their program."

Individuals were already allowed to carry naloxone. In October, the Oregon Health Authority lifted the requirement that police agencies have clinical oversight of naloxone programs, instead allowing officers to go through training. Warrenton opted for vol-

untary medical oversight of its program and permission to obtain naloxone through an agreement with Dr. Regina Mysliwicz, an emergency medical physician at Columbia Memorial.

"When there's a police officer around, they're the first responder," she said. "It's as useful as teaching officers CPR, and I think it's equivalent in that way."

Fighting Fentanyl

This week, Workman brought in about 70 officers from throughout the region for Fighting Fentanyl, an educational program on the rise of synthetic opioids run by Matt Griffin, a former drug task force and undercover officer from New Hampshire.

"This is cutting edge for Midwest and West Coast agencies," Griffin said of Warrenton's overdose kits. "This is what I've been trying to get in agencies for the last year and a half that I've been doing this training."

Fentanyl, a synthetic opiate exponentially stronger than morphine, is a common ingredient in painkillers and increasingly consumed by drug users. Police started noticing fentanyl about two years ago, Griffin said. He created the educational course to inform law enforcement about the dangers.

"It's a game-changer for us," he said. "It's transdermal. You can pick it up. Think about what cops do. They search people 24/7. They search cars 24/7."

Griffin was exposed to fentanyl in July and said he became dizzy and started throwing up. After raiding a home in Pittsburgh, Pennsylvania, 18 SWAT team members were hospitalized for exposure to an unknown airborne chemical. The U.S. attorney's office believes the substance was fentanyl. The U.S. attorney's office believes the substance was fentanyl.

"Agencies upon agencies are having overdoses left and right," Griffin said.