

CASE STUDY

OREGON

Drug Decriminalisation in Oregon: A Paradigm Shift Towards a Health-Centred Approach

Summary

The successful implementation of drug decriminalisation in the state of Oregon in the United States was instigated by legislation replacing a punitive approach to drugs with a response rooted in health, community and justice. The Drug Addiction Treatment and Recovery Act (DATRA), also known as Measure 110, was enacted in February 2021. DATRA enabled USD 302 million which came from a tax on cannabis to be used to expand access to treatment and promote harm reduction services. Estimated savings for 2021–2023 stand at USD 37 million.

Key Statistics

\$375 M

Prior to drug decriminalisation, Oregon spent around **USD 375 million annually on punitive drug law enforcement.**^[1]

\$302 M+

Between 2021 and 2023, Oregon allocated **USD 302 million to fund health and community services under Measure 110.**^[2] This averages to around USD 151 million per year.

\$2 M

In the first five months after the law was introduced, **USD 2 million was saved in reduced probation and prison-related costs.** The savings estimated for 2021–23 stand at USD 37 million.^[3]

83% ▼

After the implementation of Measure 110, **average monthly arrests for drug possession reduced by 83%.** An estimated 4,000 people may have avoided arrest each year since Measure 110 was implemented.^[4]

The Punitive Approach

In 2016, USD 375 million was spent on law enforcement for drug-related offences in Oregon. For offences related to cannabis, heroin/cocaine, and other drugs, the state spent USD 57 million, USD 178 million, and USD 140 million, respectively.^[1] Not only did this punitive approach burden the criminal legal system, it also severely affected marginalised communities, leading to increased incarceration and racial disparities in conviction rates for drug offences. From 1994 to 2015, imprisonment rates in Oregon increased by 122%,^[5] and in 2015, Oregon spent USD 640 million on state prisons, going well beyond the US national average state spending per prisoner by more than USD 10,000.^[6] The figures were stark: in 2019, Black people were 2.6 times more likely than white people to be convicted for possession of a controlled substance despite using drugs at the same rate.^[2]

The punitive approach to drugs also contributed to an increased risk of overdose. Overdose-related deaths tripled between 1999 and 2020, with the rate increasing from 6.1 deaths to 18.7 deaths per 100,000 people.^[7] These adverse effects were directly tied to criminalisation, which often drove people to use drugs alone, re-use drug paraphernalia and avoid calling emergency services for assistance.

Challenging the Punitive Approach

A diverse coalition called Health Justice Recovery Alliance led the campaign to challenge the punitive approach and advocate for the adoption of a new policy called Measure 110, which was a ballot initiative voted on by the people of Oregon. The coalition included drug policy advocates, grassroots organisers, harm reduction advocates, housing providers, and organisations focused on civil rights, racial justice and labour rights. Importantly, people who use drugs and/or have been impacted by drug laws and policies played a crucial role in supporting the campaign and developing the policy.^[4]

The coalition included Drug Policy Alliance, the American Civil Liberties Union Oregon, Latino Network, HIV Alliance, the Oregon Society of Addiction Medicine, Students for Sensible Drug Policy, Coalition of Communities of Color, Oregon Criminal Defence Lawyers Association, Planned Parenthood Advocates of Oregon, Oregon Food Bank, Unite Oregon, and Law Enforcement Action Partnership, among many others.^[8] The coalition focused on highlighting the ineffectiveness of punitive measures, the importance of treating drug use as a public health issue, and the potential benefits of decriminalisation in reducing harm and promoting individual and community well-being.

Instigating Change

The successful vote for Measure 110 in the November 2020 elections was a turning point for Oregon's drug policy landscape. Measure 110 was approved by over 58% of voters and went into effect in February 2021, marking a historic change in the state's drug policy. Criminal penalties for drug possession for personal use were removed. These were replaced with a newly introduced Class E violation which results in a fine of USD 100 which can be waived if a person undergoes a health needs screening.^[9]

Between 2021–2023, the DATRA allocated USD 302 million from the Oregon Marijuana Account to fund health and community-focused programmes including accessible drug treatment services, harm reduction, peer-delivered services, employment and housing support.^[2]

A key factor that led to the adoption of Measure 110 included the broad support from diverse stakeholders, including the Democratic Party of Oregon, the American Federation of State, County and Municipal Employees (AFSCME), the American College of Physicians and Human Rights Watch.

Investing in Community, Health and Justice

Measure 110 led to the establishment of Behavioural Health Resource Networks (BHRNs) in every county across the state. BHRNs provide health screenings, triages, service referrals and crisis care. A 24-hour telephone hotline was also established to provide screenings and referrals. Additionally, Access to Care grants were distributed to community-based and Indigenous organisations to expand evidence-based and person-centred treatment, harm reduction, peer support and housing services. All services were made available at no cost to individuals, irrespective of their financial situation or involvement in the criminal legal system.^[4,10]

Impact

Measure 110 significantly reduced drug-related arrests and involvement in the criminal legal system. After the implementation of Measure 110, there were 83% fewer average monthly arrests for the possession of a controlled substance. An estimated USD 37 million has been saved by the state between 2021 and 2023.^[3]

The redirection of funds from the punitive approach to health and community-focused services allowed over 60,000 people to access services funded by Measure 110.^[4] More than 10,100 people benefited from overdose prevention services, and over 7,600 accessed peer support

services. Access to housing services increased by more than 125%.^[11] Unlike conventional healthcare funding channels such as Medicaid, which have often overlooked harm reduction services, Measure 110 explicitly prioritised them. At the time of writing, the measure continues to be supported by public opinion, with a majority of Oregon voters supporting the health-centred approach to drug use.

Sources

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This is one in a series of case studies which captures the experiences of governments and donors around the world divesting from punitive approaches to drugs, and investing in programmes which prioritise community, health and justice. These case studies are not meant to be comprehensive but provide examples of effective divestment and investment, and related advocacy strategies.

**DIVEST FROM
THE UNJUST
DRUG WAR.**



**INVEST IN
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