Impact of Measure 110 on law enforcement and people who use drugs in Oregon

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Law Enforcement Qualitative Study: Law Enforcement Findings

Law Enforcement Participants Perceived:

- M110 has no consequences, leaving police with no teeth or leverage
- M110 has taken away law enforcement’s key investigative tools
- Class E citations are issued with wide variation and not taken seriously by recipients
- Increased crimes and lawlessness due to M110
People Who Use Drugs M110 Survey
Methods:

- Survey of 468 people who use drugs across 8 counties in Oregon.

- Participants were recruited in collaboration with partner agencies that provide supportive services to people who use drugs or through direct outreach.

- Eligibility criteria: any use of drugs impacted by M110

- Data collection March–November 2023
  - At least 2 years after M110 was enacted and 6 months after the majority of funding was allocated to community providers

- Conducted by Comagine Health in collaboration with RTI International supported by Arnold Ventures
Demographics \( (N=464) \)

<table>
<thead>
<tr>
<th>Demographic</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Age (mean)</strong></td>
<td>41 years</td>
</tr>
<tr>
<td><strong>Race</strong></td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>64%</td>
</tr>
<tr>
<td>Native American or Alaska Native</td>
<td>13%</td>
</tr>
<tr>
<td>Black/African American</td>
<td>10%</td>
</tr>
<tr>
<td>Hispanic or Latinx</td>
<td>7%</td>
</tr>
<tr>
<td>Native Hawaiian/Pacific Islander</td>
<td>1%</td>
</tr>
<tr>
<td>Asian</td>
<td>0.4%</td>
</tr>
<tr>
<td>Other</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Gender</strong></td>
<td></td>
</tr>
<tr>
<td>Cisgender Man</td>
<td>64%</td>
</tr>
<tr>
<td>Cisgender Woman</td>
<td>33%</td>
</tr>
<tr>
<td>Non-binary/Transgender</td>
<td>3%</td>
</tr>
<tr>
<td><strong>Interviewed in Urban County (Multnomah or Lane)</strong></td>
<td>60%</td>
</tr>
</tbody>
</table>

Knowledge of Drugs Decriminalized with M110

Percentage of Participants

- All Drugs: 13%
- Methamphetamine: 44%
- Heroin: 26%
- Cocaine: 17%
- Psilocybin: 12%
- LSD: 9%
- Oxycodone: 7%
- Fentanyl: 7%
- MDMA: 6%

Involvement in Criminal Legal System (Past Year)

- Any Criminal Legal System Involvement: 73%
- Law Enforcement Stop: 66%
- Any Jail Time: 33%
- Community Supervision: 29%

Law Enforcement Engagement (Past Year)

- **Law Enforcement Stopped/Questioned**: 66% (n=308)
- **Searched you, your car, or your stuff?**: 54% (n=165)
- **Law Enforcement Seized Drugs**: 47% (n=77)

Median: 3 times/year among those with any involvement

Law Enforcement Engagement (Past Year)

Compared to those who were not stopped, participants who were stopped by law enforcement in the past 12 months were MORE LIKELY (p <0.05) to:

- Be **Slightly Younger** (median age 39 vs 44)
- Identify as a **Cisgender Man** (67% vs 57%)
- Be interviewed in a **Non-Urban county** (43% vs 29%)
- Be currently **Homeless/Unstably Housed** (91% vs 74%)
- Be on **Community Supervision** (32% vs 14%)

Law Enforcement Engagement (Past Year)

Compared to their urban counterparts, participants interviewed in **Non-Urban Counties** were statistically:

- **MORE LIKELY** to be stopped by law enforcement (71% vs 57%) but
- **LESS LIKELY** to be searched when stopped (46% vs 59%); and
- **MORE LIKELY** to report receiving at least one drug citation if stopped and drugs were found in their possession (51% vs 21%).

Law Enforcement Engagement (Past Year) by Race/Ethnicity

We observed no statistically significant differences by race/ethnicity in participant reporting for being stopped by law enforcement in the past year.

<table>
<thead>
<tr>
<th>Percentage of Participants</th>
<th>White</th>
<th>Native American or Alaska Native</th>
<th>Black/African American</th>
<th>Hispanic or Latinx</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>33%</td>
<td>45%</td>
<td>40%</td>
<td>35%</td>
<td>31%</td>
<td></td>
</tr>
</tbody>
</table>

Summary & Implications

- Two years post-M110 enactment, Oregonians who use drugs are heavily policed.
- Police are seizing drugs during searches:
  - Practice linked to increased subsequent overdoses, deaths, and infectious diseases.
  - In non-urban counties, this practice carries increased risk where resources, overdose response, and health/treatment infrastructure are limited.
- About 9 in 10 people interviewed lacked crucial knowledge about M110:
  - Implications for understanding decision-making about and consequences of use.
  - Points to the importance of correcting information gaps, especially in light of fentanyl-related overdoses and potential civil liberties concerns.
- Notably, the null finding about race/ethnicity and police stops could point towards M110’s early success in helping reduce racial and ethnic disparities.
Questions?

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