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April 23, 2013

**Written Testimony of Rob Bovett before the
Oregon Senate Judiciary Committee
in Support of House Bill 2554**

Chair Prozanski, Vice-Chair Close, and Senators Dingfelder, Kruse, and Roblan,

In Oregon, we allow low level drug offenders to get clean and earn a dismissal. It's called a conditional discharge (or "CD" for short). ORS 475.245. CD's are used to get folks into treatment and recovery. Drug court is a prime example.

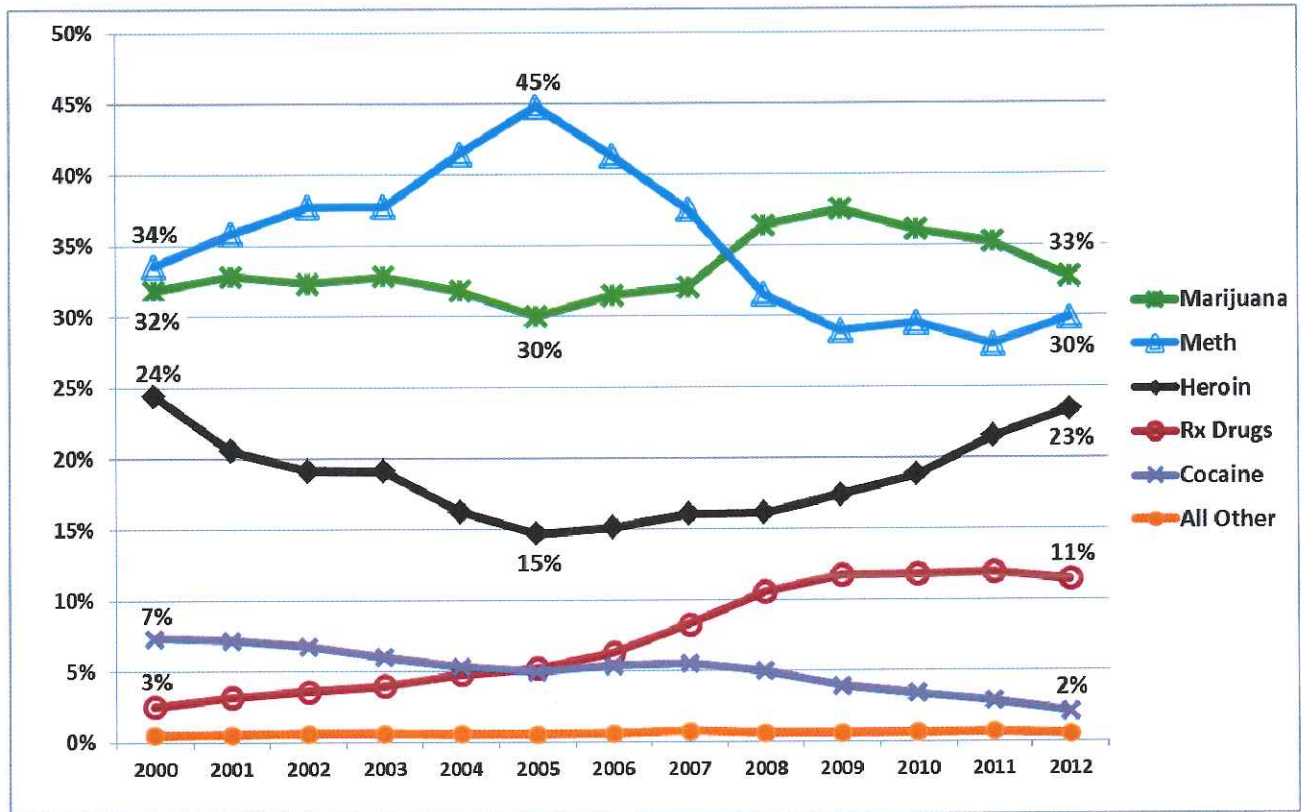
In 2005, you supported our efforts to expanded CD's to property crimes fueled by addition (2005 SB 907). In 2011, you supported our efforts to expand CD's to drug endangering the welfare of a minor, as well as frequenting a place where controlled substances are used (2011 HB 2174).

As you know, prescription drug abuse is on the rise, nationally and here in Oregon (*see* chart on reverse). Most prescription drugs that are typically abused are controlled substances, so we can offer a CD in appropriate cases. However, some commonly abused prescription drugs are not controlled substances (commonly known as "legend drugs"). Tramadol is one example.

It makes no sense to me that we can offer a CD for felony unlawful possession of a controlled substance, but not for misdemeanor unlawful possession of a prescription drug. House Bill 2554 remedies that situation, and permits us to offer a CD in those cases as well.

Please support House Bill 2554. It passed unanimously in both House Judiciary and in the House. I urge you to pass it out of Committee with a "do pass" recommendation.

Oregon Drug Treatment Admissions (by primary drug of abuse)



Data source: Oregon Department of Human Services (DHS)