

# Is Oregon using Portugal's drug policy model? No.



In 2001, Portugal took a radical step and became the first country in the world to decriminalize the possession and consumption of all illicit substances. Portugal removed drug users from the criminal justice system and moved them to an administrative system that incentivizes help and takes into account the individual. Portugal did not legalize drugs. Portugal arrests individuals who use publicly and requires them to attend a “dissuasion committee” hearing. Those who do not show up to the committee are arrested for noncompliance. Open air drug markets are illegal.

**Portugal’s model has not been an unmitigated success.** In 2001, 7.8% of the population used illicit drugs, but 12.8% used in 2022. Overdose rates have hit 12-year highs and cocaine and ketamine use in Portugal is amongst the highest in Europe. Drug-related debris is found in higher numbers on the street and crime overall is up.

In 2020, Oregon voted to decriminalize possession of small quantities of all drugs through Ballot Measure 110, the first such sweeping measure in the United States. Oregon’s model lacks two crucial elements of Portugal’s policy: recovery support and disincentivizing drug use. Unlike Portugal, Oregon’s model has a negligible treatment component. Fewer than 0.85% of people falling under the state’s new law were referred to treatment.

**Measure 110 hasn’t lived up to expectations and is failing in some important outcomes.** While recovery services have begun to be built, a year after Measure 110 Oregon became the second fastest growing state in the US for drug deaths, far outpacing neighboring states and three times faster than the rest of the country. Oregon is last in the nation for access to treatment.

	Portugal	Oregon
<b>Access to treatment</b>	Has universal health care. Treatment at state facilities is always free, and the state usually pays 80% (at least) for treatment at a private facility.	Relies on nonprofits, some of whom are not treatment providers; no guaranteed care; last in the nation for treatment
<b>Mandatory assessment?</b>	Yes; drugs are confiscated at time of citation. Research suggests that the crux of Portugal’s program is enforcement/ accountability	No
<b>Follow up</b>	Assessment is completed through a panel of experts: a social worker, psychiatrist, and lawyer and the individual can either be voluntarily admitted to treatment if they’re struggling with a SUD or can face penalties ranging from small fines to a foreign travel ban, suspension of professional licenses, the forfeiture of personal possessions, and the forfeiture of public assistance	Up to the individual; if they call the treatment help number, the fine is waived  Few people have called hotline, let alone entered treatment. A study released in by Portland State University found that many police officers believe giving a citation is “not worth the time,” given no incentive.
<b>Penalties for non-compliance</b>	Portugal places heavy, social and legal pressure on people to seek treatment	None
<b>Allows public use?</b>	No	Yes
<b>Overdose rates compared to neighbors</b>	Lower	Significantly higher
<b>Continued use trend</b>	Increasing/Variable	Increasing