



## LANE COUNTY

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Wednesday, March 9, 2025

**Written Testimony of Rob Bovett, Lane County Counsel**  
before the  
**Joint Committee on Addiction and Community Safety Response**  
in favor of  
**Senate Bill 881 with Amendments**

Dear Co-Chairs Prozanski and Kropf, Vice-Chair Mannix, Senators Girod and Lieber, and  
Representatives Edwards, Isadore, and Valderrama,

For the record I'm Rob Bovett, County Counsel for Lane County, Oregon. I have been involved in drug policy at local, state, national, and international levels for a few decades, and currently teach Drug Law and Policy at Lewis & Clark Law School in Portland. My career has focused heavily on creating and implementing diversionary programs in our criminal justice system for people suffering from addiction or behavioral health issues. I also currently serve as Vice-Chair of your Criminal Justice Commission (CJC), where we oversee many of those programs - although I do not speak for the Commission this evening.

Senate Bill 881 deserves your strong support. The bill would transfer the duties of the Oversight and Accountability Council (OAC) to the CJC, and provide for CJC funded grants for drug treatment, recovery support, and other related services provided by our Behavioral Health Resource Networks (BHRNs). I crafted Senate Bill 881<sup>1</sup> to address not only the lack of oversight and accountability at the OAC, but to replace the OAC with a state agency that has proven itself highly capable of administering diversionary grant programs in our justice system for people suffering from addiction or behavioral health issues. Unlike the OAC, the CJC enjoys, and has earned, broad bi-partisan and bi-cameral support.

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<sup>1</sup> Full disclosure: Prior to my service as County Counsel for Lane County, I was heavily involved in negotiating and crafting 2024 House Bill 4002 on behalf of the Coalition to Fix and Improve Ballot Measure 110. I crafted the operative language for the initiative petitions filed by the Coalition, a 2024 bill based upon those petitions, and a 2024 bill based on a proposal developed by Oregon's city governments, sheriffs, police chiefs, and district attorneys. I also crafted House Bill 3094 - the House counterpart to SB 881, except HB 3094 would replace the OAC with the Alcohol and Drug Policy Commission (ADPC), upon which I once served. All of those petitions and bills have language similar to what is found in SB 881. We have long known we need to fix or replace the OAC, we just didn't have the time or bandwidth to deal with that during short 2024 legislative session that produced HB 4002.

I am aware that amendments to Senate Bill 610, which had a hearing before this committee on February 26, 2025, propose to address the lack of transparency and public process used by the OAC to make its decisions, which, among other things, has led to litigation brought against the OAC by Washington and Clackamas Counties.<sup>2</sup> But fixing OAC processes is insufficient. The OAC continues to make poor decisions regarding funding for key elements of the systems of care within counties, all during the worst addiction crisis in our nation's history. At your committee hearing on March 7, held in conjunction with the 2025 CJC Summit at the Salem Convention Center, you heard how recent decisions of the OAC are impairing the new deflection programs<sup>3</sup> established by 2024 House Bill 4002. More broadly, poor OAC decisions are impairing entire county systems of care.

Lane County therefore urges your strong support of Senate Bill 881. We are currently working on amendments to further improve and strengthen the bill with a focus on ensuring strong and interconnected systems of care in each county for providing treatment and recovery support services for those suffering from addiction or behavioral health issues.

Thank you for the opportunity to testify this evening in support of Senate Bill 881 and the amendments currently being worked on. I am more than happy to answer any questions you might have.

Sincerely,



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<sup>2</sup> Oregon Court of Appeals case A185658. Full disclosure: I prepared and filed that case on behalf of those counties during my service as a county lawyer for Washington County.

<sup>3</sup> I am aware that you are also holding a hearing this evening on House Bill 3576, which would transfer responsibility for the deflection grant program formula from the OAC to the CJC, where it belongs. As noted above, we just didn't have the time or bandwidth to deal with that during the negotiations that led to 2024 HB 4002, and we needed to get deflection grant dollars out the door as soon as possible. I should note that HB 3576 needs amendments to make it effective sooner rather than later, but I should also note that this fix is already being included in Senate Bill 236, the HB 4002 technical fix bill I am managing, as I explained during the hearing on SB 236 before this committee on February 5, 2025. Amendments to SB 236 are currently being worked on by Legislative Counsel, but fixing the deflection grant formula won't fix the poor decisions made by the OAC to not fund critical services necessary to make deflection programs functional, such as peer recovery support.