



**OREGON DEPARTMENT OF JUSTICE**

TO: Joint Committee on Addiction and Community Safety

FROM: Leslie Wu, Policy Advisor to Attorney General Rayfield, Oregon Department of Justice

DATE: April 9, 2025

SUBJECT: Testimony in Support of HB 3946

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The Oregon Department of Justice supports HB 3946, which incorporates preschools into the definition of “schools” for purposes of Oregon’s drug code. This important inclusion will ensure that spaces of learning and development for the youngest and most vulnerable Oregonians receive the same level of legal protection as institutions of learning that serve older children.

Under current law, ORS 475.904 prohibits the delivery or manufacture of controlled substances within 1000 feet of the real property comprising a school. This crime is classified as an A felony offense. The statute specifies that it applies to any “public or private elementary, secondary or career school attended primarily by minors.” HB 3946 adds “preschool” to the statute. This change is aligned with historical policy aims of the statute to “protect children from . . . the negative influences that accompany drug delivery” and to “give drug dealers a reason to locate the 1,000-foot school boundary and stay outside it,” as stated by the Oregon Supreme Court in *State v. Rutley*, 343 Or 368, 376 (2007).

Preschool students should be shielded from drug dealing and manufacturing to the same extent as students attending public and private elementary, secondary, and career schools. We urge your passage of HB 3946.

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