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Written Testimony of Rob Bovett before the California State Assembly Committee on Public Safety in Support of Senate Bill 484

Dear Chair Arambula, Vice-Chair Hagman,
and Assembly Members Ammiano, Furutani, Gilmore, Hill, and Ma,

Thank you for the opportunity to provide you with testimony and information in **support of Senate Bill 484**. I strongly urge you to support this critically important legislation to eliminate “smurfing” and reverse the scourge of meth labs that are rebounding in California.

Senate Bill 484 is not only critical for California’s own public safety, environment, and drug endangered children, it is important to the rest of our nation because California has again become a source state for meth through “super labs” fed by the smurfing of pseudoephedrine. *See* the attached June 2009 Situation Report from the National Drug Intelligence Center.

The solution to end smurfing in California is not an electronic monitoring system. Those systems have been used in other states and are expensive, complicated, reactive, law enforcement intensive, and are failing. The solution to end smurfing in California is to return pseudoephedrine a prescription drug. This solution is pure **prevention**, proven and effective, and will save the State of California millions of dollars in meth lab cleanup costs and avoided prison sentences for meth cooks.

I have also enclosed a number of documents that I hope you will find helpful. Those and many other key documents are posted at www.oregondec.org.

Thank you again allowing me to speak with you today. **Please give your strong support to Senate Bill 484**, and don’t hesitate to contact me if I can be of any assistance.

Sincerely,



Rob Bovett
District Attorney, Lincoln County, Oregon
Chair, Oregon Meth Task Force
President, Oregon Alliance for Drug Endangered Children

Additional Notes:

1. Oklahoma and Oregon:

In 2004, Oklahoma and Oregon were the first two states to effectively control pseudoephedrine and reduce meth lab incidents. Oklahoma was the first to move pseudoephedrine behind the counter, followed by Oregon. Eventually, the two states went separate directions to control smurfing of pseudoephedrine.

Oklahoma limits pseudoephedrine sales to pharmacies only, and has a fully integrated electronic monitoring stop sale system. Oregon moved pseudoephedrine to prescription-only.

Oklahoma finished 2008 with 213 total meth lab incidents, up from 148 in 2007. That meth lab resurgence in Oklahoma is continuing: Oklahoma had 258 meth lab incidents during the first 5 months of 2009. Even with pseudoephedrine sales limited to pharmacies only and with a fully integrated electronic monitoring stop sale system, Oklahoma had more meth lab incidents in the single month of May of 2009 (64) than Oregon had over the entire last three years combined (61).

2. Mexico has banned pseudoephedrine:

Mexico and five other nations have now banned pseudoephedrine entirely. Pseudoephedrine is the key ingredient necessary to make meth (*d*-methamphetamine).

As a result, California is experiencing a resurgence of small user meths labs and a resurgence of “super labs” run by drug trafficking organizations. This is very bad news for California public safety, the environment and, most tragically, drug endangered children. California is also again a source state for meth. Current California meth labs, including the “super labs,” are being fed by the smurfing of pseudoephedrine. *See* the Situation Report entitled “Pseudoephedrine Smurfing Fuels Surge in Large-Scale Methamphetamine Production in California” just released by the National Drug Intelligence Center (NDIC) last week, and attached to this testimony.

3. Arrestee Drug Abuse Monitoring (ADAM) Program report:

From the recently released Arrestee Drug Abuse Monitoring (ADAM) Program report:

- From the Executive Summary: “In Sacramento the proportion of arrestees involved in acquiring methamphetamine in the prior 30 days remains high (26%), unchanged from 2007, but in Portland reported acquisition is significantly lower (13%) than 2007 levels (23%).”
- From the Conclusion: “Methamphetamine remains largely a regional phenomenon in this population and declines significantly in one of the ADAM II western sites (Portland) from 2007 (20% positive) to 2008 (15% positive). Thirty five percent of Sacramento arrestees test positive in 2008, representing no statistically significant change from 2007.”

Links to the full report, and to Oregon drug arrest trends, can be found at www.oregondec.org.