



**Written Testimony before the
California State Senate Committee on Public Safety
in Opposition to AB 1455 and Continued Support of SB 484**

Dear Chair Leno, Vice-Chair Benoit,
and Senators Cedillo, Hancock, Huff, Steinberg, and Wright,

As you know, California is currently suffering from a resurgence of meth labs. Furthermore, California is again a source “nation” for meth. All of this is being fueled by the mass smurfing of pseudoephedrine in California and the complete ban of pseudoephedrine in Mexico.

Senate Bill 484, previously approved by this Committee and the Senate, is a **pure prevention solution** to the problem. It would return pseudoephedrine to a prescription drug, as it was prior to 1976. This solution is proven and effective. California should follow Oregon’s lead.

In contrast, **Assembly Bill 1455** is a **pure law enforcement response** that will help further identify smurfers and result in more arrests and incarcerations. But it merely perpetuates the so called “War on Drugs” and will not solve the problem. California should not follow Kentucky’s lead.

In short, Senate Bill 484 will solve California’s problem and give relief to Oregon from California meth. Assembly Bill 1455 will not.

Therefore, on behalf of the **Oregon State Sheriffs Association**, the **Oregon District Attorneys Association**, the **Oregon Association of Chiefs of Police**, the **Oregon Narcotics Enforcement Association**, the **Oregon Alliance for Drug Endangered Children**, and the **Oregon Methamphetamine Task Force**, I strongly encourage you to **oppose Assembly Bill 1455** and **support Senate Bill 484**.

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

Thank you again for allowing me to speak with you in April regarding Senate Bill 484. Please oppose AB 1455 and give your strong continuing support to Senate Bill 484, and please don’t hesitate to contact me if I can be of any assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rob Bovett".

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" recently released by the National Drug Intelligence Center (NDIC), 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.