

WASHINGTON COUNTY DEFLECTION PROGRAM – PRESENTATION BY DISTRICT ATTORNEY KEVIN BARTON

Date: 2/2/2026
Department: Council Office
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Presenters: Kevin Barton, Washington County District Attorney; Danielle Farr, Deflection Senior Program Coordinator
Length: 60 minutes

ISSUE STATEMENT

The Washington County Deflection Program is a partnership between the District Attorney's Office and other public safety and community-based agencies. The deflection program provides behavioral health support for residents and intersects with the delivery of supportive housing services (SHS).

District Attorney Kevin Barton and staff will present an overview of the program.

ACTION REQUESTED

This presentation is informational.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

As Metro works to establish the SHS Regional Policy Oversight Committee (SHS RPOC) and move towards a regional continuum of care, it is useful to understand interaction points and different approaches the counties are taking to deploy their resources serving different populations. Deflection programs have been in place for a little more than a year and potential trends and evaluation of their efficacy can help inform continued SHS reforms.

BACKGROUND

In April 2024, Oregon Governor Tina Kotek signed HB 4002, which effectively repealed the core drug decriminalization components of Measure 110. The legislation re-criminalizes possession of hard drugs as a misdemeanor, while establishing mandatory "deflection" programs, delivered at the county level, that divert individuals into treatment services instead of jail, effective September 1, 2024. The law instructed each county to stand up their own deflection program to allow eligible people who are cited or arrested for Possession of a Controlled Substance as a misdemeanor (PCS-U/A) to avoid prosecution and possible fines and jail time. Each county implements and funds these programs differently.

State officials define deflection programs as "collaborations between law enforcement and behavioral health entities to create pathways to treatment outside the criminal justice system for people with substance use disorders."

In Washington County, deflection programs are completed in six months. A participant successfully completes the program when the Deflection Operations Team (DOT) determines they:

1. have engaged in substance use treatment. This is measured by treatment records, feedback from the treatment provider, drug test results and other factors.
2. have demonstrated they are likely to continue to engage in substance use treatment after completing the program.

If both requirements are not met within the six-month deflection period, participants are referred to the court process. Additional criminal charges and missed court dates may also result in referral to the court process.

The DOT is led by Department of Health and Human Services staff and includes staff from the District Attorney's Office, Sheriff's Office, Community Corrections, and providers from the Behavioral Health Resource Network. The team jointly reviews cases, individual participants' progress, and overall program status.

ATTACHMENTS

None