

Measure 110



Oregon Judicial Department

Class E Violations Through 2/28/2022

Key Points

- Filed in 33 circuit courts
- 2089 Cases with Class E violations
- 81 cases for offenses before 2/1/21
- 2008 cases for offenses on or after the 2/1/21 effective date
 - 1536 with convictions (76%). Of those, 948 failed to appear.
 - 149 with all Class E violation charges dismissed (8%)
 - 323 pending (16%)
 - 16 juvenile cases
- 178 people have multiple cases with Class E violations.
- Most Class E violations are for possession of meth (66%) or heroin (20%).
- 131 (7%) were issued to non-Oregon residents from 14 states.

Questions?

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Measure 110

2021 Senate Bill 755-C codified and amended Ballot Measure 110, which decriminalized most unlawful possession of a controlled substance (PCS) offenses.

Reduction of Penalties

Measure 110 reduced the penalties for most PCS offenses from a felony or misdemeanor to a new Class E violation, punishable with a \$100 maximum fine. Effective February 1, 2021, most PCS offenses are punishable only by a fine – no jail, supervision, or other criminal penalties can be imposed.

History

Measure 110 was approved by Oregon voters in the November 2020 election and reduced penalties for most PCS offenses as of February 1, 2021. The legislature passed SB 755-C, which took effect on July 19, 2021. Major court-related changes in SB 755-C include:

- Allowing a person charged with a Class E violation to obtain a treatment needs screening or treatment contact within 45 days of the citation, provide proof to the court, and have their case dismissed.
- Requiring law enforcement to provide information on how to obtain a screening when issuing a citation for a Class E violation.
- Establishing a \$45 minimum fine.
- Requiring all Class E violations to be filed in circuit courts.
- Prohibiting penalties for failing to appear in court for a Class E violation.

Circuit Court Cases with Class E Violations by County For Offenses Between 2/1/21 and 2/28/22

County	Cases	County	Cases	County	Cases
Baker	5	Harney	0	Morrow	4
Benton	138	Hood River	27	Multnomah	132
Clackamas	15	Jackson	115	Polk	47
Clatsop	23	Jefferson	7	Sherman	1
Columbia	2	Josephine	382	Tillamook	1
Coos	80	Klamath	92	Umatilla	69
Crook	34	Lake	9	Union	18
Curry	7	Lane	152	Wallowa	1
Deschutes	98	Lincoln	66	Wasco	20
Douglas	184	Linn	61	Washington	43
Gilliam	1	Malheur	10	Wheeler	0
Grant	0	Marion	71	Yamhill	93

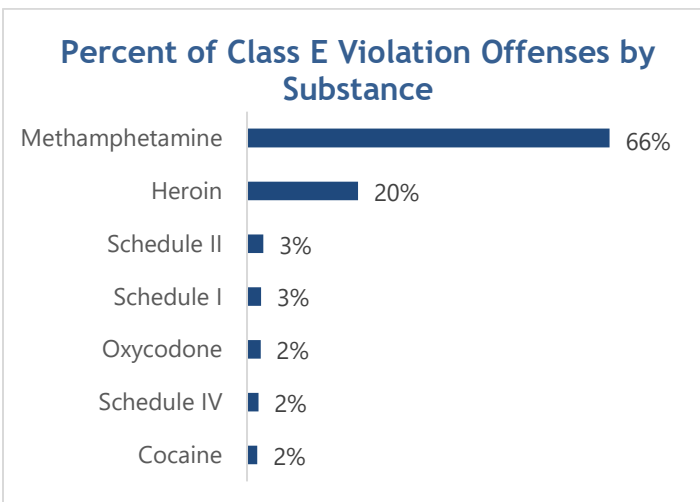
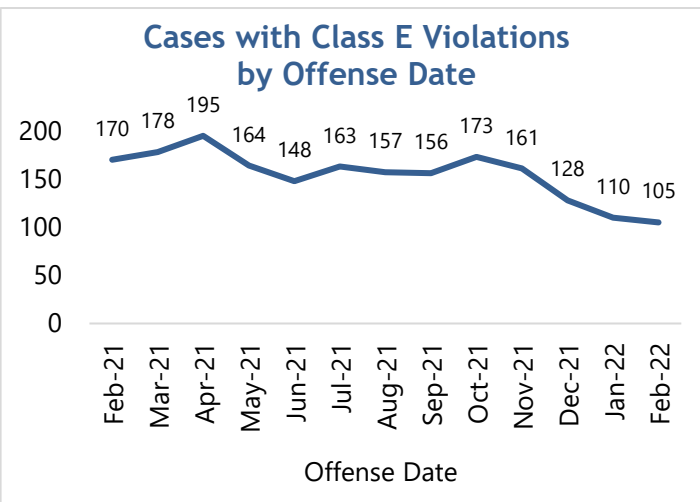


Class E Violations in Oregon's Circuit Courts

For Offenses between 2/1/21 and 2/28/22

Data on demographic characteristics of people cited for Class E violations, the substance involved, and charges in addition to the Class E violation come from the law enforcement citation or district attorney charging document and are transferred into the official court record.

This information is provided by court case, from cases filed in circuit courts. A single court case can involve one or more Class E violations, or Class E violations and other charges. If a person receives two separate citations for a Class E violation, they are counted as separate cases.



Demographic Statistics for Cases with Class E Violations

Gender

Male	1458	72.6%
Female	477	23.8%
Not Available/Missing	73	3.6%

Race

Asian	10	0.5%
Black	48	2.4%
Indian	26	1.3%
Multiracial	0	0.0%
Native Hawaiian or Other Pacific Islander	3	0.1%
Other	34	1.7%
Unavailable	97	4.8%
White	1556	77.5%
Missing	234	11.7%

Ethnicity

Hispanic	83	4.1%
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Age at Time of Offense

Juvenile	16	0.8%
18-20	57	2.8%
21-29	514	25.6%
30-39	802	39.9%
40-49	399	19.9%
50-59	160	8.0%
60 +	50	2.5%
Missing	10	0.5%

18% of cases with a Class E violation have other charges in the same case, most of which are other violations.

2% of cases with a Class E violation have a felony or misdemeanor charge on the same case.

Most Frequent More Serious Offenses in Cases with Class E Violations

- Criminal Felony
 - Delivery of Methamphetamine
- Criminal Misdemeanor
 - Driving Under the Influence of Intoxicants
- Violation
 - Violation Driving While Suspended or Revoked
 - Driving Uninsured