

Measure 110



Oregon Judicial Department

Class E Violations Through 02/29/2024

Key Points

- Filed in 35 circuit courts
- 8118 cases with Class E violations
- 93 cases for offenses before 2/1/21
- 8025 cases for offenses on or after the 2/1/21 effective date
 - 6363 with convictions (79%). Of those, 5586 failed to appear.
 - 588 with all Class E violation charges dismissed (7%), of which, 57 had a substance use assessment verification filed. This does not reflect all treatment-related activities funded through BM 110.
 - 1074 pending (13%)
 - 46 juvenile cases
- 988 people have multiple Class E violation cases.
- Most Class E violations are for possession of Methamphetamine (54%) or Schedule II Drugs (28%).
- 364 (5%) were issued to non-Oregon residents.

Questions?

Please contact Phil Lemman,
Deputy State Court Administrator:
Phillip.Lemman@ojd.state.or.us
503-986-5745

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 charge 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 02/29/2024

County	Cases	County	Cases	County	Cases
Baker	30	Harney	2	Morrow	9
Benton	331	Hood River	72	Multnomah	1666
Clackamas	145	Jackson	1386	Polk	83
Clatsop	109	Jefferson	22	Sherman	6
Columbia	17	Josephine	1388	Tillamook	5
Coos	170	Klamath	198	Umatilla	148
Crook	40	Lake	11	Union	40
Curry	19	Lane	232	Wallowa	2
Deschutes	290	Lincoln	122	Wasco	60
Douglas	567	Linn	202	Washington	97
Gilliam	2	Malheur	43	Wheeler	0
Grant	5	Marion	146	Yamhill	360



Class E Violations in Oregon's Circuit Courts

For Offenses between 2/1/21 and 02/29/2024

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	5944	74.1%
Female	1978	24.6%
Nonbinary	1	0%
Not Available/Missing	102	1.3%

Race

Asian	47	0.66%
Black	399	5%
Indian	62	0.8%
Multiracial	14	0.2%
Native Hawaiian or Other Pacific Islander	39	0.5%
Other	170	2.1%
Unavailable	493	6.1%
White	6320	78.8%
Missing	481	6%

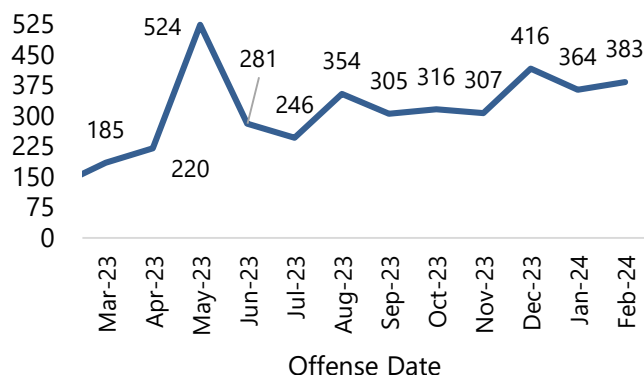
Ethnicity

Hispanic	280	3.5%
----------	-----	------

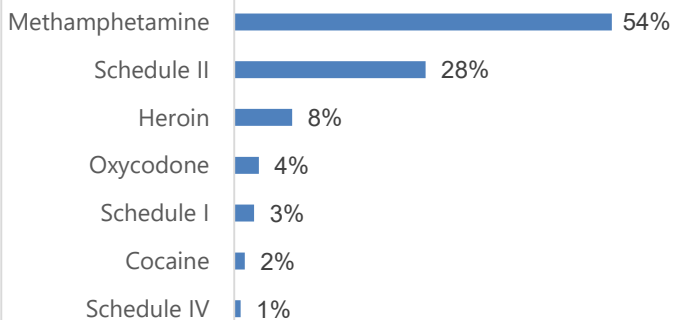
Age at Time of Offense

Juvenile	46	0.6%
18-20	192	2.4%
21-29	1888	23.5%
30-39	3370	42%
40-49	1572	19.6%
50-59	671	8.4%
60 +	246	3.1%
Missing	40	0.5%

Cases with Class E Violations by Offense Date (Last 12 Months)



Percent of Class E Violation Offenses by Substance



10% 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

Mfg/Delivery Controlled Substance in Schedule II

Criminal Misdemeanor

Driving Under the Influence of Intoxicants

Violation

Violation Driving While Suspended or Revoked

Driving Uninsured