

Measure 110



Oregon Judicial Department

Class E Violations Through 5/31/2022

Key Points

- Filed in 33 circuit courts
- 2660 cases with Class E violations
- 84 cases for offenses before 2/1/21
- 2576 cases for offenses on or after the 2/1/21 effective date
 - 1933 with convictions (75%). Of those, 1201 failed to appear.
 - 203 with all Class E violation charges dismissed (8%)
 - 440 pending (17%)
 - 19 juvenile cases
- 240 people have multiple cases with Class E violations.
- Most Class E violations are for possession of methamphetamine (66%) or heroin (19%).
- 165 (6%) were issued to non-Oregon residents from 18 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 5/31/22

County	Cases	County	Cases	County	Cases
Baker	10	Harney	0	Morrow	5
Benton	162	Hood River	37	Multnomah	212
Clackamas	37	Jackson	184	Polk	52
Clatsop	27	Jefferson	14	Sherman	2
Columbia	8	Josephine	479	Tillamook	1
Coos	88	Klamath	104	Umatilla	87
Crook	38	Lake	10	Union	28
Curry	9	Lane	162	Wallowa	1
Deschutes	126	Lincoln	76	Wasco	24
Douglas	237	Linn	85	Washington	45
Gilliam	2	Malheur	17	Wheeler	0
Grant	0	Marion	80	Yamhill	127

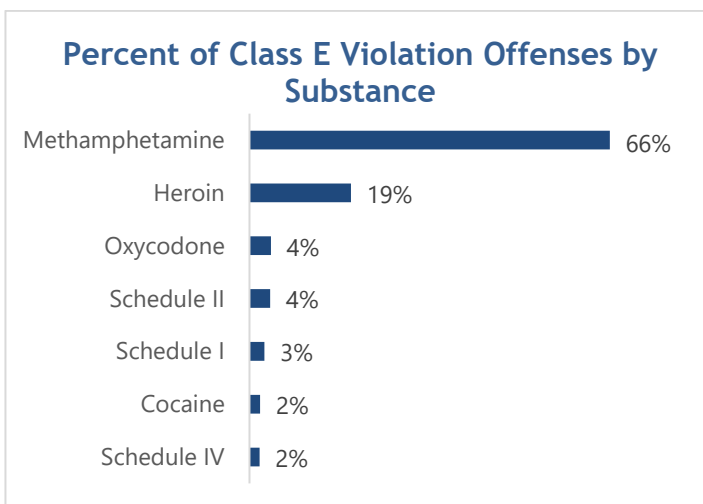
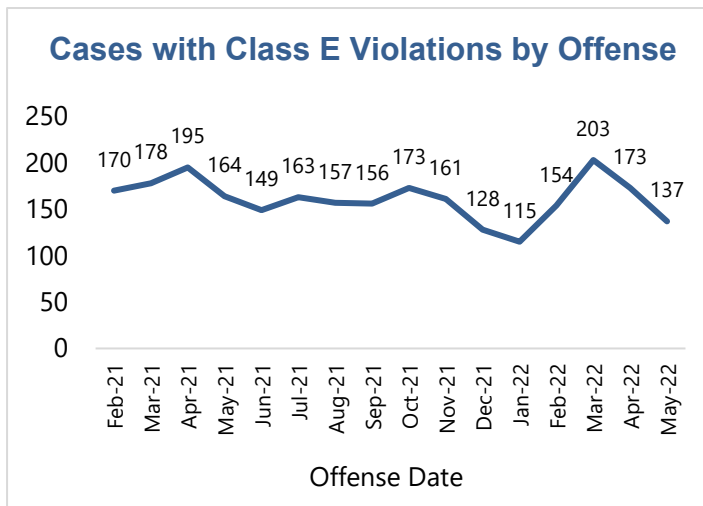


Class E Violations in Oregon's Circuit Courts

For Offenses between 2/1/21 and 5/31/22

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	1901	73.8%
Female	634	24.6%
Not Available/Missing	41	1.6%

Race

Asian	12	0.5%
Black	71	2.8%
Indian	28	1.1%
Multiracial	0	0.0%
Native Hawaiian or Other Pacific Islander	5	0.2%
Other	49	1.9%
Unavailable	124	4.8%
White	2013	78.1%
Missing	274	10.6%

Ethnicity

Hispanic	105	4.1%
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Age at Time of Offense

Juvenile	19	0.7%
18-20	67	2.6%
21-29	676	26.2%
30-39	1005	39.0%
40-49	508	19.7%
50-59	216	8.4%
60 +	75	2.9%
Missing	10	0.4%

17% of cases with a Class E violation have other charges in the same case, most of which are other violations.

3% 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

- Unauthorized Use of a Vehicle
- Delivery of Methamphetamine

Criminal Misdemeanor

- Driving Under the Influence of Intoxicants

Violation

- Driving While Suspended or Revoked
- Driving Uninsured