

Measure 110



Oregon Judicial Department

Class E Violations Through 8/31/2022

Key Points

- Filed in 33 circuit courts
- 3169 cases with Class E violations
- 88 cases for offenses before 2/1/21
- 3081 cases for offenses on or after the 2/1/21 effective date
 - 2504 with convictions (81%). Of those, 1716 failed to appear.
 - 245 with all Class E violation charges dismissed (8%)
 - 332 pending (11%)
 - 23 juvenile cases
- 299 people have multiple cases with Class E violations.
- Most Class E violations are for possession of methamphetamine (66%) or heroin (17%).
- 201 (7%) were issued to non-Oregon residents from 21 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 8/31/22

County	Cases	County	Cases	County	Cases
Baker	12	Harney	0	Morrow	6
Benton	183	Hood River	46	Multnomah	248
Clackamas	51	Jackson	281	Polk	58
Clatsop	35	Jefferson	18	Sherman	3
Columbia	11	Josephine	588	Tillamook	1
Coos	100	Klamath	113	Umatilla	110
Crook	38	Lake	10	Union	30
Curry	11	Lane	173	Wallowa	1
Deschutes	139	Lincoln	86	Wasco	25
Douglas	284	Linn	109	Washington	48
Gilliam	2	Malheur	19	Wheeler	0
Grant	0	Marion	86	Yamhill	156

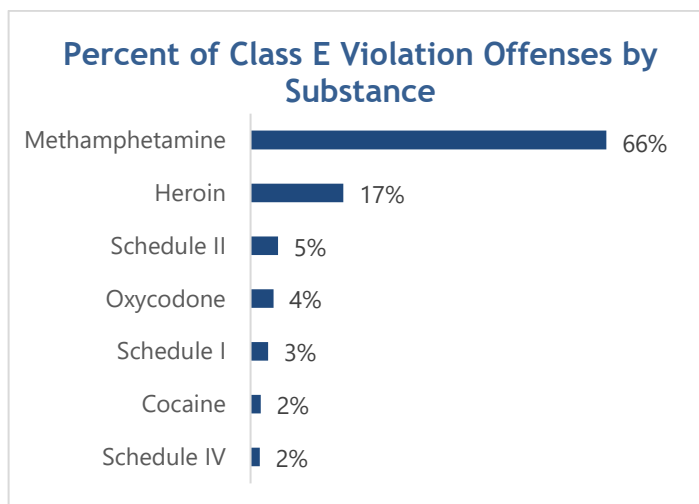
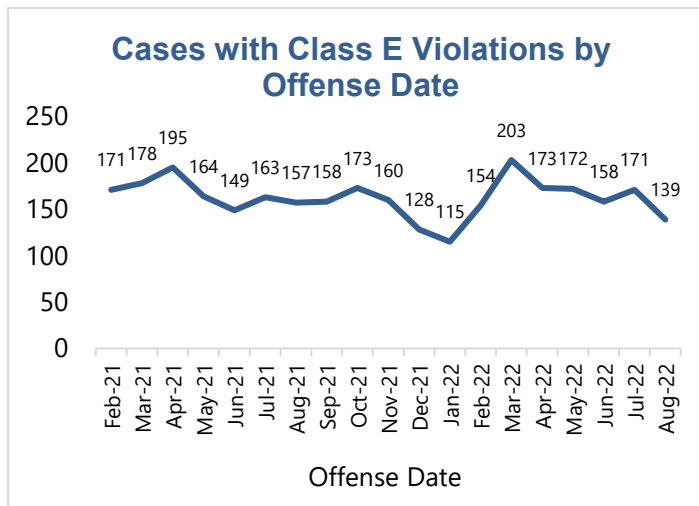


Class E Violations in Oregon's Circuit Courts

For Offenses between 2/1/21 and 8/31/22

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	2288	74.3%
Female	749	24.3%
Not Available/Missing	44	1.4%

Race

Asian	15	0.5%
Black	94	3.1%
Indian	37	1.2%
Multiracial	1	0.0%
Native Hawaiian or Other Pacific Islander	5	0.2%
Other	53	1.7%
Unavailable	150	4.9%
White	2422	78.6%
Missing	304	9.9%

Ethnicity

Hispanic	126	4.1%
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Age at Time of Offense

Juvenile	23	0.7%
18-20	78	2.5%
21-29	801	26.0%
30-39	1222	39.7%
40-49	598	19.4%
50-59	259	8.4%
60 +	86	2.8%
Missing	14	0.5%

16% 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

Criminal Misdemeanor

Driving Under the Influence of Intoxicants

Violation

Driving While Suspended or Revoked

Driving Uninsured