

Measure 110

Class E Violations Through 3/31/2022

Key Points

- Filed in 33 circuit courts
- 2309 Cases with Class E violations
- 81 cases for offenses before 2/1/21
- 2228 cases for offenses on or after the 2/1/21 effective date
 - 1646 with convictions (74%). Of those, 1014 failed to appear.
 - 164 with all Class E violation charges dismissed (7%)
 - 418 pending (19%)
 - 18 juvenile cases
- 201 people have multiple cases with Class E violations.
- Most Class E violations are for possession of meth (67%) or heroin (19%).
- 139 (6%) were issued to non-Oregon residents from 14 states.

Questions?

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Oregon Judicial Department



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 3/31/22

County	Cases	County	Cases	County	Cases
Baker	10	Harney	0	Morrow	5
Benton	146	Hood River	27	Multnomah	180
Clackamas	22	Jackson	135	Polk	48
Clatsop	25	Jefferson	12	Sherman	2
Columbia	2	Josephine	417	Tillamook	1
Coos	81	Klamath	94	Umatilla	79
Crook	35	Lake	10	Union	19
Curry	8	Lane	158	Wallowa	1
Deschutes	105	Lincoln	70	Wasco	21
Douglas	204	Linn	71	Washington	43
Gilliam	2	Malheur	13	Wheeler	0
Grant	0	Marion	76	Yamhill	106

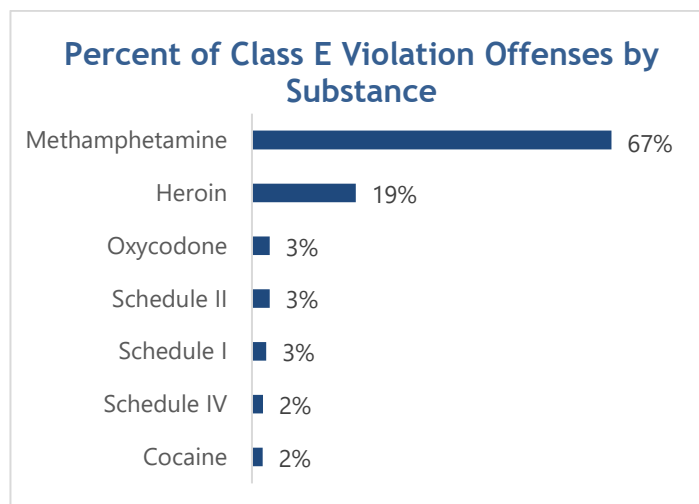
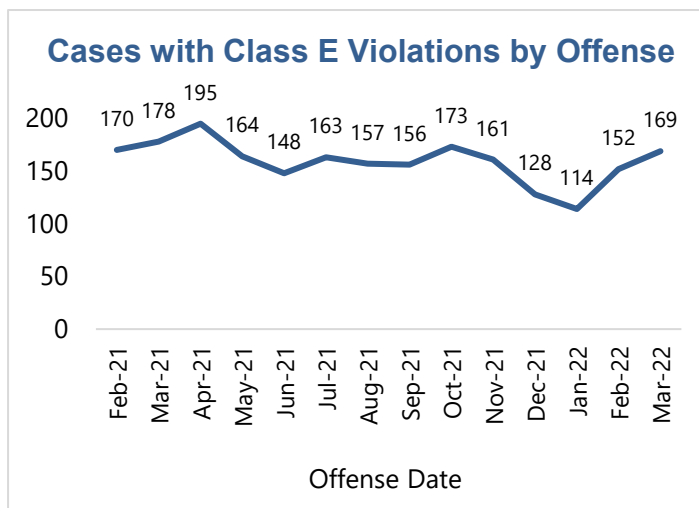


Class E Violations in Oregon's Circuit Courts

For Offenses between 2/1/21 and 3/31/22

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	1623	72.8%
Female	530	23.8%
Not Available/Missing	75	3.4%

Race

Asian	11	0.5%
Black	63	2.8%
Indian	26	1.2%
Multiracial	0	0.0%
Native Hawaiian or Other Pacific Islander	4	0.2%
Other	40	1.8%
Unavailable	122	5.5%
White	1719	77.2%
Missing	243	10.9%

Ethnicity

Hispanic	88	3.9%
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Age at Time of Offense

Juvenile	18	0.8%
18-20	61	2.7%
21-29	570	25.6%
30-39	872	39.1%
40-49	450	20.2%
50-59	189	8.5%
60 +	57	2.6%
Missing	11	0.5%

18% 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
 - Delivery of Methamphetamine
- Criminal Misdemeanor
 - Driving Under the Influence of Intoxicants
- Violation
 - Driving While Suspended or Revoked
 - Driving Uninsured