

# Measure 110

## Class E Violations Through 07/31/2024

### Key Points

- Filed in 35 circuit courts
- 9829 cases with Class E violations
- 94 cases for offenses before 2/1/21
- 9735 cases for offenses on or after the 2/1/21 effective date
  - 8480 with convictions (87%). Of those, 7582 failed to appear.
  - 687 with all Class E violation charges dismissed (7%), of which, 76 had a substance use assessment verification filed. This does not reflect all treatment-related activities funded through BM 110.
  - 567 pending (6%)
  - 52 juvenile cases
- 1242 people have multiple Class E violation cases.
- Most Class E violations are for possession of Methamphetamine (54%) or Schedule II Drugs (30%).
- 417 (4%) were issued to non-Oregon residents.

### 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 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 07/31/2024

County	Cases	County	Cases	County	Cases
Baker	33	Harney	2	Morrow	10
Benton	358	Hood River	74	Multnomah	2197
Clackamas	156	Jackson	2046	Polk	86
Clatsop	124	Jefferson	24	Sherman	7
Columbia	19	Josephine	1585	Tillamook	6
Coos	185	Klamath	207	Umatilla	157
Crook	41	Lake	13	Union	42
Curry	19	Lane	242	Wallowa	2
Deschutes	335	Lincoln	131	Wasco	64
Douglas	636	Linn	213	Washington	101
Gilliam	2	Malheur	52	Wheeler	0
Grant	6	Marion	159	Yamhill	401

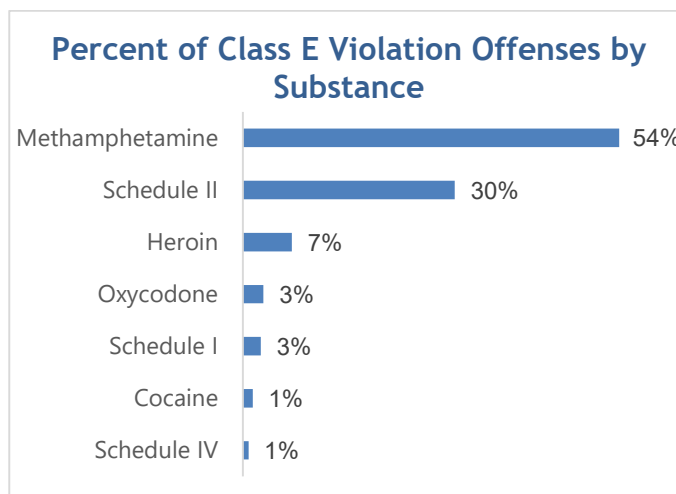
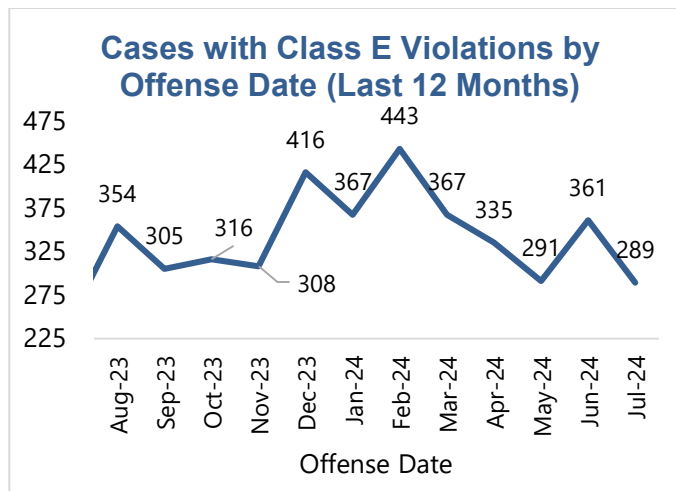


## Class E Violations in Oregon's Circuit Courts

For Offenses between 2/1/21 and 07/31/2024

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	7179	73.7%
Female	2434	25%
Nonbinary	1	0%
Not Available/Missing	121	1.2%

#### Race

Asian	55	0.66%
Black	540	5.5%
Indian	76	0.8%
Multiracial	26	0.3%
Native Hawaiian or Other Pacific Islander	55	0.6%
Other	196	2%
Unavailable	571	5.9%
White	7687	79%
Missing	529	5.4%

#### Ethnicity

Hispanic	355	3.6%
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#### Age at Time of Offense

Juvenile	52	0.5%
18-20	222	2.3%
21-29	2199	22.6%
30-39	4137	42.5%
40-49	1940	19.9%
50-59	826	8.5%
60 +	311	3.2%
Missing	48	0.5%

**9% of cases with a Class E violation have other charges in the same case, most of which are other violations.**

**1% 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