

# Measure 110

## Class E Violations Through 03/31/2024

### Key Points

- Filed in 35 circuit courts
- 8524 cases with Class E violations
- 93 cases for offenses before 2/1/21
- 8431 cases for offenses on or after the 2/1/21 effective date
  - 6936 with convictions (82%). Of those, 6131 failed to appear.
  - 609 with all Class E violation charges dismissed (7%), of which, 59 had a substance use assessment verification filed. This does not reflect all treatment-related activities funded through BM 110.
  - 886 pending (11%)
  - 47 juvenile cases
- 1063 people have multiple Class E violation cases.
- Most Class E violations are for possession of Methamphetamine (54%) or Schedule II Drugs (29%).
- 379 (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 03/31/2024

County	Cases	County	Cases	County	Cases
Baker	31	Harney	2	Morrow	9
Benton	338	Hood River	72	Multnomah	1840
Clackamas	147	Jackson	1506	Polk	84
Clatsop	112	Jefferson	24	Sherman	6
Columbia	18	Josephine	1433	Tillamook	5
Coos	175	Klamath	200	Umatilla	148
Crook	40	Lake	11	Union	40
Curry	19	Lane	234	Wallowa	2
Deschutes	293	Lincoln	125	Wasco	60
Douglas	583	Linn	205	Washington	97
Gilliam	2	Malheur	45	Wheeler	0
Grant	5	Marion	153	Yamhill	367

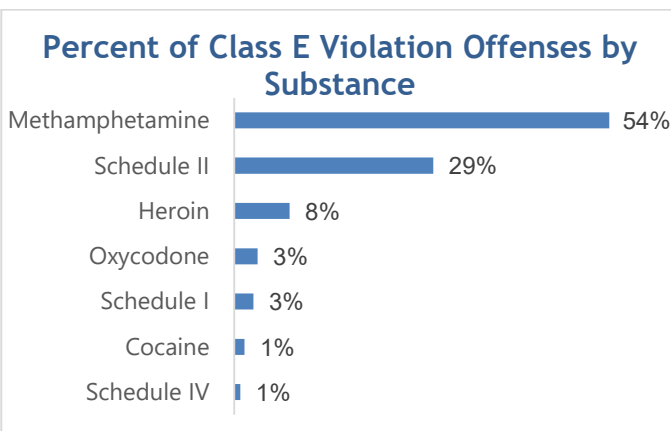
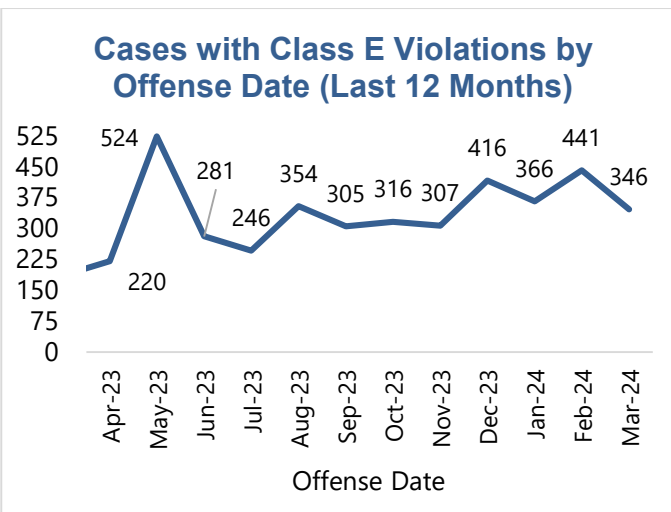


## Class E Violations in Oregon's Circuit Courts

For Offenses between 2/1/21 and 03/31/2024

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	6253	74.2%
Female	2071	24.6%
Nonbinary	1	0%
Not Available/Missing	106	1.3%

#### Race

Asian	48	0.66%
Black	437	5.2%
Indian	69	0.8%
Multiracial	15	0.2%
Native Hawaiian or Other Pacific Islander	41	0.5%
Other	179	2.1%
Unavailable	518	6.1%
White	6635	78.7%
Missing	489	5.8%

#### Ethnicity

Hispanic	294	3.5%
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#### Age at Time of Offense

Juvenile	47	0.6%
18-20	200	2.4%
21-29	1965	23.3%
30-39	3548	42.1%
40-49	1655	19.6%
50-59	711	8.4%
60 +	262	3.1%
Missing	43	0.5%

**10% 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