



BM 110

Class E Violations Through 12/31/21

- Filed in 33 circuit courts
- 1826 Cases with Class E violations
 - 49 with offenses reduced from criminal charges filed before 2/1/21
 - 1777 cases on or after the 2/1/21 effective date
 - 1314 with convictions (74%)
 - 498 in court
 - 816 failed to appear
 - 129 with dismissals (7%)
 - 329 pending (18%)
 - 13 juveniles cases
- 55 assessment/screening verifications received
- 143 people have multiple cases with Class E violations
- Most Class E violations are for possession of meth (67%) or heroin (21%).
- 123 were issued to non-Oregon residents from 14 states.

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

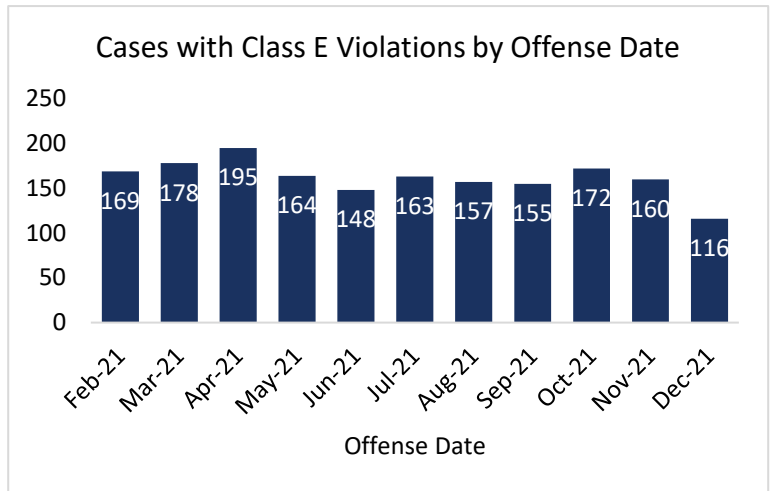
County	Number	County	Number
Baker	5	Lake	9
Benton	127	Lane	144
Clackamas	11	Lincoln	66
Clatsop	21	Linn	48
Columbia	2	Malheur	8
Coos	72	Marion	66
Crook	32	Morrow	3
Curry	5	Multnomah	108
Deschutes	91	Polk	45
Douglas	163	Sherman	1
Gilliam	1	Tillamook	1
Grant	0	Umatilla	59
Harney	0	Union	17
Hood River	24	Wallowa	1
Jackson	92	Wasco	19
Jefferson	5	Washington	37
Josephine	332	Wheeler	0
Klamath	77	Yamhill	85

CLASS E VIOLATIONS IN CIRCUIT COURTS

~Total Cases with Class E violations filed in circuit courts from February 1, 2021 through December 31, 2021 ~

Data Information: 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	1272	71.6%
Female	436	24.5%
Not Available/Missing	69	3.9%

Race

Asian	10	0.6%
Black	39	2.2%
Indian	22	1.2%
Multiracial	0	0.0%
Native Hawaiian or Other Pacific Islander	2	0.1%
Other	32	1.8%
Not Available/Missing	307	17.3%
White	1365	76.8%

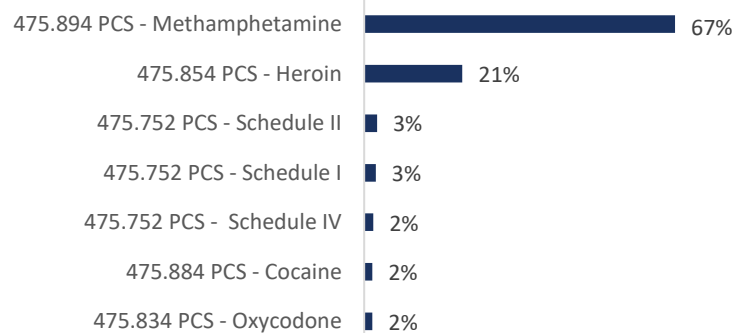
Ethnicity

Hispanic	70	3.9%
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Age at Time of Offense:

Juvenile	13	0.7%
18 - Under 21	50	2.8%
21-29	458	25.8%
30-39	715	40.2%
40-49	352	19.8%
50-59	140	7.9%
60 +	39	2.2%
Missing	10	0.6%

Percent of Offenses by Substance



*PCS – Unlawful Possession of a Controlled Substance

21% of Cases with Class E violations have other more serious charges in 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

Criminal Mischief in the Second Degree

Violation

Violation Driving While Suspended or Revoked

Driving Uninsured