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PRESS RELEASE

Today the Clackamas County District Attorney's Office announces its policy for handling marijuana cases within the county after the passage of Measure 91. Although Measure 91 was passed by the voters of Oregon on November 4, 2014, it will not take legal effect until July 1, 2015. Therefore, the criminal justice system is forced to consider how it will handle marijuana cases during this interim period. This announcement explains the approach of the Clackamas County District Attorney's Office.

Through the passage of Measure 91, Oregon voters have decided to treat marijuana differently in Oregon. The Clackamas County District Attorney's Office intends to respect the will of the voters. Out of a concern for fairness*, the office will begin treating all pending and new marijuana cases under the rules of Measure 91. However, after a careful review of all the pending marijuana cases in the office, it is apparent this will have minimal impact in the short term. At the present time, there are 39 marijuana cases pending in the Clackamas County District Attorney's Office. And of those 39 pending cases, only 12 will be dismissed when Measure 91 is applied. Some of the remaining cases will have the level of punishment reduced, consistent with Measure 91.

Police will be authorized to perform their duties regarding marijuana cases consistent with the current law until July 1, 2015. Marijuana is often associated with other kinds of serious crime and it is vital that law enforcement be able to continue to vigorously investigate those kinds of cases. During this interim period, the rules regarding the search and seizure of illegal marijuana remain the same.

Crimes associated with marijuana will continue to be prosecuted by the Clackamas County District Attorney's Office.

Many types of behavior associated with marijuana will remain illegal even after the passage of Measure 91. This includes possession of extremely large amounts, and possession by minors between the ages of 18 and 21. Marijuana remains a powerful intoxicant and if consumed before or while driving an automobile, will be prosecuted for DUII.

The Clackamas County District Attorney's Office will continue to work closely with local law enforcement during this interim period and after Measure 91 takes effect.

**Each pending case involving marijuana will be reviewed. All aggravating or mitigating factors that justify either continued prosecution or dismissal will be considered on a case-by-case basis.*

John S. Foote