



**KEVIN BARTON**  
**WASHINGTON COUNTY DISTRICT ATTORNEY**

---

150 North First Avenue, Suite 300, MS 40, Hillsboro, Oregon 97124-3002  
(503) 846-8671 / (503) 846-3407 (fax)  
[www.WashingtonCountyDA.org](http://www.WashingtonCountyDA.org)

FOR IMMEDIATE RELEASE

DECEMBER 8, 2025

CONTACT: STEPHEN MAYER

[stephen\\_mayer@washingtoncountyor.gov](mailto:stephen_mayer@washingtoncountyor.gov)  
971-708-8219

**APPEALS COURT RULING FORCES DISMISSAL OF 20 WASHINGTON  
COUNTY DRUG-ENDANGERED CHILDREN CASES**

HILLSBORO, Ore- The Washington County District Attorney's Office has filed motions to dismiss charges in 20 cases involving drug-endangered children because of a September Oregon Court of Appeals decision, *State v. Stevens*, 343 Or App 321 (2025).

In *Stevens*, the Court of Appeals ruled that a caregiver who knowingly exposed an 18-month-old child to methamphetamine, causing detectable levels of methamphetamine in the child's system, could not be convicted of Criminal Mistreatment in the First Degree for failing to provide necessary and adequate care for that child. The impact of this ruling extends beyond methamphetamine. It makes it very difficult to arrest or prosecute parents and other caregivers who knowingly expose children to detectable levels of dangerous drugs such as methamphetamine and fentanyl.

As a result of the *Stevens* ruling and change to Oregon law, the Washington County District Attorney's Office has been forced to dismiss 20 pending cases in which children were exposed to detectable levels of controlled substances in their bodies. These include cases with controlled substances such as methamphetamine, marijuana, and fentanyl. The dismissed cases involve situations where children were exposed to active drug use by adult caregivers in the children's living environment. These situations pose significant safety risks to children, including the risk of child overdose and death. [Click here for more information on the dismissed cases.](#)

"This ruling makes it more difficult to protect children and hold accountable those who threaten their well-being," said Washington County District Attorney Kevin Barton. "Caregivers and parents who knowingly expose children to dangerous drugs to the point where they test positive should be held accountable. We are committed to pursuing legislation in the upcoming short legislative session to address this problem."

"Every child deserves to grow and thrive in a home free from dangerous drugs and life-threatening hazards," said [Oregon Child Abuse Solutions](#) Executive Director Shelly Smith. "We are committed to advocating and supporting policies and practices that safeguard their well-being."

The Oregon District Attorney's Association (ODAA) and the Washington County DA's Office are actively seeking new legislation to address this gap in Oregon's law. ODAA has put forward

proposed legislation for the Oregon legislature to consider during the 2026 legislative session.  
[Click here for the ODAA 2026 Proactive Legislative Agenda.](#)