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4                   **IN THE CIRCUIT COURT OF THE STATE OF OREGON**  
                  **FOR THE 24<sup>TH</sup> JUDICIAL DISTRICT, COUNTIES OF HARNEY AND GRANT**

5       **In the Matter of Pre-Arrest Release**  
6       **of Arrested Individuals**

**No. 26-008**

**Case: D24PJO1**

7                   **GENERAL ORDER RE: PRETRIAL**  
8                   **RELEASE ORDERS**

9       **WHEREAS**

10       1. The 2021 Legislative Assembly enacted Oregon Laws 2021, Chapter 643,  
11       initially introduced as Senate Bill 48 (2021) by the Oregon Criminal Justice Commission, to  
12       reduce reliance on security release and provide statewide guidance for local pretrial release  
13       orders.

14       2. Section 2 of Oregon Laws 2021, chapter 643, now codified as ORS 135.233,  
15       requires the following:

16               The Presiding Judge of a judicial district shall enter a standing pretrial release  
17               order, specifying to the sheriff of the county, or to the entity supervising the local  
18               correctional facility responsible for pretrial incarceration within the judicial district,  
19               both the persons who are and the offenses that are:

- 20                   1) Subject to release on recognizance;  
21                   2) Subject to release with special conditions of release; and  
22                   3) Not eligible for release until arraignment.

23       3. In turn, the Chief Justice issued guidelines for Presiding Judge pretrial release  
24       Orders. Additionally, the Chief Justice entered an Order that requires each Presiding Judge of a  
25       circuit court to enter a standing pretrial release order as required under ORS 135.233(1) that  
26       complies with the guidelines established by the Chief Justice with an operative date of July 1,  
27       2022.

28       4. The following Order accomplishes that mandate.

29       **IT IS HEREBY ORDERED AS FOLLOWS:**

30       **Guideline 1**

31       1. The correctional facility, under the supervision of the Sheriff or designee, shall release  
32       on recognizance with a release agreement with the general conditions in ORS  
33       135.250, all defendants charged with the following offenses:

- 34               A.           Any non-person misdemeanor, except those offenses listed in Guideline  
35                               2 or 3 below;
- 36               B.           Any non-person Class C felony, except those offenses listed in  
37                               Guideline 2 or 3 below;
- 38               C.           Any driving while suspended offense defined in ORS 811.182, except

for aggravated driving while suspended as defined in ORS 163.196; and

D. Any other offense that is not included in Guideline 2 or 3 below.

## **Guideline 2**

2. The correctional facility, under the supervision of the Sheriff or designee shall release on court-imposed conditions as authorized under ORS 135.260 and pursuant to Exhibit C, all defendants charged with the following offenses:
  - A. Any non-domestic violence person misdemeanor, as defined in OAR 213-003-0001(15);
  - B. Any driving under the influence of intoxicants (DUII) offense; as defined in ORS 813.010 and ORS 813.011; and
  - C. Any non-domestic violence Class B felony and any non-domestic violence person Class C felony as defined in OAR 213-003-0001(14), except for those offenses included in Guideline 3.

## **Guideline 3**

3. The correctional facility, under the supervision of the Sheriff or designee shall hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b), all defendants charged with the following offenses:
  - A. Any violent felony, as defined in ORS 135.240, and any offense in ORS 137.700;
  - B. Any Class A felony;
  - C. Any sex crime (whether designated or not), as defined in ORS 163A.005, including any luring of a minor, purchasing sex with a minor, and first-degree invasion of personal privacy, and any attempt to commit luring a minor, purchasing sex with a minor, and first-degree invasion of personal privacy;
  - D. Any domestic violence felony or misdemeanor, as defined in ORS 135.230;
  - E. Any felony stalking as described in ORS 163.732, any violation of a stalking protective order as described in ORS 163.750, and felony strangulation as described in ORS 163.187.
  - F. The following Class B felony-controlled substance offenses:
    - a. Manufacture of hydrocodone within 1,000 feet of a school, as defined in ORS 475.808;
    - b. Delivery of hydrocodone within 1,000 feet of a school, as defined in

1                                   ORS 475.812;

- 2                                   c. Unlawful deliver of a Schedule III controlled substance to a minor,  
3                                   as defined in ORS 475.906(2);
- 4                                   d. Causing another person to ingest a controlled substance, as defined  
5                                   in ORS 475.908(1);
- 6                                   e. Applying a Schedule III controlled substance to the body of a minor,  
7                                   as defined in ORS 475.910(2);
- 8                                   f. Manufacture of methamphetamine, as defined in ORS 475.886; and
- 9                                   g. Distribution of equipment, solvent, reagent, or precursor substance  
10                                  with intent to facilitate manufacture of controlled substance, as  
11                                  defined in ORS 475.962;

12                                  G. The following felony – and misdemeanor – controlled substance offenses  
13                                  involving minors:

- 14                                  a. Using a minor in a controlled substance offense, as defined in ORS  
15                                  167.262;
- 16                                  b. Unlawful delivery of a Schedule IV controlled substance to a minor  
17                                  as defined in ORS 475.906(3);
- 18                                  c. Unlawful deliver of a Schedule I controlled substance to a minor, as  
19                                  defined in ORS 475.906(4);
- 20                                  d. Applying a Schedule IV controlled substance to the body of a minor,  
21                                  as defined in ORS 475.910(3); and
- 22                                  e. Applying a Schedule V controlled substance to the body of a minor  
23                                  as defined in ORS 475.910(4); and

24                                  H. Any of the following offenses:

- 25                                  a. Possession of a firearm or dangerous weapon in a public building or  
                                     court facility, as defined in ORS 166.370; and unlawful possession  
                                     of machine guns, certain short-barreled firearms, and firearm  
                                     silencers, as defined in ORS 166.272;
- b. Failure to appear, as defined in ORS 162.195 and ORS 162.205;
- c. Felon in possession of a firearm, as defined in ORS 166.270;
- d. Fleeing or Attempting to Elude, as defined in ORS 811.540;
- e. Resisting arrest, as defined in ORS 162.315;

- f. Giving false information to a peace officer, as defined in ORS 807.620 and ORS 162.385;
  - g. Escape in any degree, as defined in ORS 162.145, ORS 162.155, and ORS 162.165; and unauthorized departure, as defined in ORS 162.175;
  - h. Fugitive from justice, as defined in ORS 133.747;
  - i. Bias crime in the first degree, as defined in ORS 166.165; and
  - j. Tampering with a witness, as defined in ORS 162.285.
4. The release decision shall be made using a two-step process.
  - Step 1:** Identify the charge and release category;
  - Step 2:** Determine if the defendant meets the criteria to consider any overriding circumstances and what if any enhanced conditions of release should be ordered.
5. Attached to this Order is Exhibit A which is a chart to be used in Step 1, **identifying the charge and the release guideline** that a defendant will fall into. Exhibit A is hereby incorporated into this Order.
6. Attached to this Order is Exhibit B to be used in Step 2, which includes a chart of **overriding circumstances to be considered** and if a defendant meets the criteria of the overriding circumstance, the action that should be taken with regard to the release decision. Exhibit B is hereby incorporated into this Order.
7. Attached to this Order is Exhibit C also to be used in Step 2, which includes **enhanced conditions of release**. These enhanced conditions of release shall be used if, after identifying the charge and release guideline it is determined that there are overriding circumstances which require enhanced conditions of release. Exhibit C is hereby incorporated into this Order.
8. Attached to this Order is Exhibit D also to be used in Step 1, which includes a link to the Release Guidelines Categorization List which is to be used to **identify the charge and the release guideline**, as well as a list of non-releasable offenses. Exhibit D is hereby incorporated into this Order.
9. The Sheriff or designee may release individual charged with the following offenses if the release would prevent releasing a person early who is serving a court-imposed sentence (matrix):
  - a) Guideline 2 offenses enhanced by overriding circumstance (moved into guideline 3,) No other guideline 3 charges are to be released;
  - b) Giving False Information to Police Officer (ORS 807.620 False Information on a traffic violation;)

- c) Failure to Appear (ORS 162.195, a misdemeanor, except if the charge is related to an existing release agreement;)
- d) Felon in Possession of Firearm;
- e) Stalking (Misdemeanor, under a conditional release with no contact with the protected person;)
- f) Defendants held because of overriding circumstance if there are no threats of violence;
- g) Violations of Court Ordered no Trespassing Violations;
- h) Giving False Information to a Peace Officer (ORS 162.95) where the jurisdiction of the warrant origination is not going to extradite;
- i) Outstanding warrant arrests if the jurisdiction of the warrant origination is not going to extradite.

10. Nothing in this order impacts the statutory authority of the local correctional facilities pursuant to ORS chapter 169 nor authority granted by ORS 137.520. This Order does not apply to any judicially authorized warrants nor the security required therein.

11. If released on a conditional release, the individual must be given a date and time to appear no more than 96 hours from the time of release to appear in front of a magistrate for arraignment.

12. The District Attorney has the authority to direct that an individual be released without conditions on their own recognizance. If an individual is released on their own recognizance, they will be given a date not less than 25 days and no more than 30 days from release to appear for further proceedings.

13. At the time of the first appearance on either a conditional or a recognizance release:

- a. If charges are filed, the individual will be arraigned and provided a future date for entry of plea. The court will not accept any changes of plea to charges prior to the next court date unless agreed to by the prosecution and defense.
- b. If no charges are filed, the court will advise the individual on the record that they are released from their conditions (if applicable,) and that they should inform the District Attorney of their contact information so that a citation can be served upon them if charges are filed at a later date.

14. If charges are filed after the first appearance date:

- a. If the individual appeared as required at the first scheduled hearing, the defendant will be cited into court under the following process:
  - 1) The District Attorney will provide a citation form with the charging instrument.
  - 2) Court staff will provide a court date on the citation and return it to the District Attorney.
  - 3) Court staff will make a 'service packet' for the District Attorney, consisting of a copy of the citation, a certified copy of the charging

instrument, and an application for court appointed counsel.


4) The District Attorney's office will forward the packet for service on the defendant.

5) Once the packet has been served, or deemed unable to be served, the District Attorney's Office will file the original completed citation with the court. If they were not able to complete service, they may also file a warrant at that time.

b. If the individual did not appear as required at the first scheduled hearing, the District Attorney may ask for an arrest warrant or a citation-only warrant upon the filing of a criminal charging instrument.

This General Order supersedes all previous orders on the same subject and shall remain in effect until further order of this Court.

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Robert S. Raschio, Circuit Court Judge

**Exhibit A: Identify Charge and Release Guideline****Release Guidelines Categorization List:**
<https://www.courts.oregon.gov/programs/pretrial/Pages/default.aspx>

<b>Charge</b>	<b>Guideline 1 Recognizance Release</b>	<b>Guideline 2 Conditional Release</b>	<b>Guideline 3 Hold until Arraignment</b>
Non-person misdemeanor EXCEPT those listed in Guideline 2 or 3	Release on Recognizance with Release Agreement under ORS 135.250		
Non-person Class C felony EXCEPT those listed in Guideline 2 or 3	Release on Recognizance with Release Agreement under ORS 135.250		
Driving while suspended (ORS 811.182)	Release on Recognizance with Release Agreement under ORS 135.250		
Any other offense that is not included in Guideline 2 or 3	Release on Recognizance with Release Agreement under ORS 135.250		
Non-domestic violence person misdemeanor (OAR 213-003-0001(15))		Release Agreement (ORS 135.250) + Enhanced Conditions	
Any driving under the influence of intoxicants (DUII) offense		Release Agreement (ORS 135.250) + DUII Enhanced Conditions	
Non-domestic violence Class B felony and non-domestic violence person Class C felony (OAR 213-003-0001(14)), except for those offenses included in Guideline 3.		Release agreement (ORS 135.250) + Enhanced Conditions	
Any violent felony as defined in ORS 135.240, and any offense in ORS 137.300.			Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)
Class A Felony			Hold for arraignment, first appearance, or a release decision under ORS 135.235

Any sex crime (whether designated or not), as defined in ORS 163A.005, including any luring a minor. Purchasing sex with a minor, and first-degree invasion of personal privacy, and any attempt to commit luring a minor, purchasing sex with a minor, and first-degree invasion of personal privacy.			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Any domestic violence felony or misdemeanor as defined in ORS 135.230			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Any felony stalking as described in ORS 163.732, any violation of a stalking protective order as described in ORS 163.750, and felony strangulation as described in ORS 163.187			Hold for arraignment, first appearance, or a release decision under ORS 135.235
<b>Class B felony-controlled substance offenses</b> as defined in ORS 475.808; ORS 475.812; ORS 475.906(2); ORS 475.908(1); ORS 475.910(2); ORS 475.886; ORS 475.962			Hold for arraignment, first appearance, or a release decision under ORS 135.235
<b>Felony and misdemeanor-controlled substance offenses involving minors</b> as defined in ORS 167.262; ORS 475.906(3); ORS 475.906(4); ORS 475.910(3); ORS 475.910(4)			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Possession of a firearm or dangerous weapon in a public building or court facility as defined in ORS 166.270			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Failure to appear in any degree as defined in ORS 162.195 and ORS 162.205			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Felon in possession of a firearm, as defined in ORS 166.270			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Fleeing or Attempting to Elude, as defined in ORS 811.540			Hold for arraignment, first appearance, or a release



			decision under ORS 135.235
Resisting arrest, as defined in ORS 162.315			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Giving false information to a peace officer, as defined in ORS 807.620 and ORS 162.385			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Escape in any degree, as defined in ORS 162.145, ORS 162.155, and ORS 162.165			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Fugitive from justice, as defined in ORS 133.747			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Bias Crime in the first degree, as defined in ORS 166.165.			Hold for arraignment, first appearance, or a release decision under ORS 135.235
Tampering with a witness, as defined in ORS 162.285			Hold for arraignment, first appearance, or a release decision under ORS 135.235

## Exhibit B - Overriding Circumstances:

The following chart contains overriding circumstances that, if present, require a sheriff or designee to either:

- 1) Release the defendant on enhanced conditions of release (Guideline 2) or
- 2) Hold the defendant for arraignment (Guideline 3)

Overriding Circumstances	Guideline 1 Charge - Recognizance Release	Guideline 2 Charge - Conditional Release	Guideline 3 Charge - Hold Until Arraignment
Moderate or High-Risk Score (Risk Assessment Tool)	Move to guideline 2 or guideline 3.  <i>Enhanced conditions may include electronic monitoring, geographic restrictions, or call in/walk in requirements</i>	Move to guideline 3 OR enhanced conditions.  <i>Enhanced conditions may include electronic monitoring, geographic restrictions, or call in/walk in requirements</i>	
One or more DUII arrests in the last 48 hours [Hold all DUII arrests until under the legal limit of .08 or may be released on a 3 <sup>rd</sup> Party Release]		Move to guideline 3	
Any offense involving the delivery or manufacture of a controlled substance	Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)		
Individual is unable to comprehend the release process or participate in the release assessment process.	Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)		
A direct threat of violence to a victim, law enforcement officer, or anyone else connected with the case	Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)		
Any violation of a court order such as a FAPA restraining order, stalking order, probation violations, court ordered no trespassing violations and previous release orders.	Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)		
Outstanding warrants	Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)		
Chronic history of failing to appear [two or more failure to appear convictions over the previous five years.]	Move to guideline 2 with enhanced conditions if offense starts at guideline 1	Move to guideline 3 if offense starts at 2.	

	<i>Enhanced conditions may include electronic monitoring, geographic restrictions, or call in/walk in requirements</i>		
Chronic history of repeat offenses [three or more separate convictions for any offense within the last five years.]	Move to guideline 2 with enhanced conditions if offense starts at guideline 1.  <i>Enhanced conditions may include electronic monitoring, geographic restrictions, or call in/walk in requirements.</i>	Move to guideline 3 if offense starts at 2.	
Any property offenses captured in guideline 1 with a <u>named victim</u> .	Move to guideline 2 with enhanced condition: Defendant prohibited from contacting named victim.  <i>Enhanced conditions may include electronic monitoring, geographic restrictions, or call in/walk in requirements</i>		
Individual has three or more of accompanying charges in the same incident	Move to guideline 2 with enhanced conditions if offense starts at 1.	Move to guideline 3 if offense starts at 2.	
Incident involved the use of intoxicants and/or arrested while under the influence of intoxicants. [Hold all until not intoxicated]	Move to guideline 2 with enhanced conditions including no intoxicants, no bars or taverns		
Individual who qualifies for release under section 9 of the Presiding Judge's Order due to matrixing			Move to guideline 2 with enhanced conditions including Walk In/Call In

## Exhibit C - Enhanced Conditions of Release

<p><b>DUII</b></p>	<p><b><u>No Driving:</u></b> I am not to operate any motor vehicle unless properly licensed and insured.</p> <p><b><u>Intoxicants:</u></b> I will not use any intoxicants. I understand this includes consuming alcohol, marijuana in any form, or other controlled substances. I understand that I may be required to submit to a Urinalysis at my own expense that must be paid at the time of the collection. The fee is set by the sheriff and will be collected at the time of the request.</p> <p>I will not frequent places where alcohol or marijuana are main products sold.</p> <p><b>Additional conditions that apply for a DUII with one or more prior DUIIs in the last 5 years or a Felony DUII:</b></p> <p>Ankle bracelets (electronic GPS) including SCRAM (Alcohol Monitoring)</p>
<p><b>JRI Eligible Crimes (Drugs, Property &amp; Driving)</b>  <b>As described in:</b>  <b>ORS 137.717,</b>  <b>ORS 475.752 to</b>  <b>ORS 475.935,</b>  <b>ORS 811.182,</b>  <b>ORS 813.010,</b>  <b>ORS 813.011</b>  <b>[A moderate to high risk score is required from the current risk assessment tool]</b></p>	<p><b>Electronic Monitoring: Ankle Bracelets – GPS and/or SCRAM (Alcohol Monitoring)</b></p>
<p><b>Non-domestic violence person misdemeanor</b></p>	<p><b>Victim Contact:</b> I understand that I am <u>prohibited</u> from having any contact with the victim(s) of the crime(s) that I am alleged to have committed unless I have prior authorization of the Court. See 135.250, 135.247</p> <p><b>Prohibited Contact Includes:</b></p> <ul style="list-style-type: none"> <li>• Following the other person (victim)</li> <li>• Waiting outside the home, property, place of work or school of the other person or a member of that person's household</li> <li>• Sending or making written or electronic communication in any form to the other person, including but not limited to text messages or social media.</li> <li>• Speaking with the other person by any means</li> <li>• Communicating with the other person through a third person, including but not limited to text messages or social media.</li> <li>• Committing a crime against the other person</li> </ul>
<p><b>Domestic violence person misdemeanor [should be held under guideline 3 unless there are jail</b></p>	<p><b>Victim Contact:</b> I understand that I am <u>prohibited</u> from having any contact with the victim(s) of the crime(s) that I am alleged to have committed unless I have prior authorization of the Court. 135.250, 135.247</p> <p><b>Prohibited Contact Includes:</b></p> <ul style="list-style-type: none"> <li>• Following the other person (victim)</li> </ul>

<p><b>resource needs requiring release and there are no inmates being held pending court order in cases involving ORS 162.195, ORS 162.205, ORS 166.270, ORS 807.620 or ORS 162.315]</b></p>	<ul style="list-style-type: none"> <li>• Waiting outside the home, property, place of work or school of the other person or a member of that person's household</li> <li>• Sending or making written or electronic communication in any form to the other person, including but not limited to text messages or social media.</li> <li>• Speaking with the other person by any means</li> <li>• Communicating with the other person through a third person, including but not limited to text messages or social media.</li> <li>• Committing a crime against the other person</li> </ul>
<p><b>Cases with co-defendant</b></p>	<p><b>Co-Defendant Contact:</b> I understand that I am to have no contact with {Name(s)} the co-defendant(s) in this matter.</p>
<p><b>Walk In/Call In [required for all Failure to Appear charges, crimes involving violence and any case where the guideline was changed due to overriding circumstances]</b></p>	<p><b>Pre-Case:</b> I understand I am to report to the Release Officer located in the Circuit Court office for a period not more than 96 hours from the date of my release. I may be required additional reporting upon case filing and order of the court at my arraignment hearing. <b>I will report to the Circuit Court office immediately upon my release or the first business day after release between 8:00am and 12:00pm for further reporting instructions.</b></p> <p><b>Judge Decision:</b> I understand that I am to report to the Release Officer located in the Circuit Court office until I am acquitted or sentenced, or the case is dismissed. <b>I will report to the Circuit Court office immediately upon my release for further reporting instructions.</b></p>
<p><b>Geographic &amp; Movement Restrictions</b></p>	<p>I will not leave the State of Oregon without signing a waiver of extradition and without approval of the court.</p> <p><b>State exception:</b> I understand that after signing a waiver of extradition and providing proof of residence, I am being allowed to reside outside of Oregon at {Inmate Address and the State}.</p> <p>I understand that after signing a waiver of extradition, I am being allowed to leave the State of Oregon for personal and/or employment purposes.</p> <p><b>Restriction on location:</b> I understand I am not to go to or enter {ENTER ADDRESS} under any circumstances.</p>
<p><b>Cases with children or minors</b></p>	<p><b>Minor Witness:</b></p> <p>I understand I am prohibited from any contact with the witnessing minor(s) to my alleged offense unless allowed by order of the court.</p>

## **Exhibit D – Release Guidelines Categorization List & Guideline 3 Offenses:**

### Oregon Judicial Department : Pretrial Programs : Pretrial Programs : State of Oregon

#### **HOLD FOR ARRAIGNMENT – CRIME SPECIFIC (CJO Guideline 3)**

- Violent Felony as defined in ORS 135.240 and any offense in ORS 137.700, which include but are not limited to the following:
  - Attempt, solicitation, or conspiracy to commit a violent felony, as defined in ORS 134.240 and any offenses in ORS 137.700. (ORS 161.405, 161.435, 161.450)
  - Any degree of murder, manslaughter, or homicide. (ORS 163.095, 163.107, 163.115, 163.118, 163.125, 163.145, and 163.149)
  - Assault I, II, or III (ORS 163.165, 163.175, 163.185)
  - Kidnapping I or II (ORS 163.225, 163.235)
  - Rape I or II (ORS 163.365, 136.375)
  - Sodomy I or II (ORS 163.395, 163.405)
  - Unlawful Sexual Penetration I or II (ORS 163.408, 163.411)
  - Sex Abuse I (ORS 163.427)
  - Using a Child in the Display of Sexually Explicit Conduct (ORS 163.670)
  - Arson I (ORS 164.325)
  - Robbery I or II (ORS 164.405, 164.415)
  - Treason (ORS 166.005)
  - Compelling Prostitution (ORS 167.017)
- Any Class A Felony
- Any Sex Crime (whether designated or not), as defined in ORS 163A.005, including any luring a minor, purchasing sex with a minor, and first-degree invasion of personal privacy, and any attempt to commit luring a minor, purchasing sex with a minor, and first-degree invasion of person privacy:
  - Attempt or conspiracy to commit a sex crime or any offense listed below, except burglary with the intent to commit a sex crime. (ORS 161.405, 161.450)
  - Kidnapping I or II with a Child Victim (ORS 163.225, 163.235)
  - Trafficking in Persons (ORS 163.266(a), (b) or (c))
  - Rape in any degree (ORS 163.355, 163.365, 163.375)
  - Sodomy in any degree (ORS 163.385, 163.395, 163.405)
  - Unlawful Sexual Penetration in any degree (ORS 163.408, 163.411)
  - Purchasing Sex with a Minor (ORS 163.413)
  - Sexual Abuse in any degree (ORS 163.415, 163.425, 163.427)
  - Sexual Abuse by Fraudulent Representation (ORS 163.429)
  - Online Sexual Corruption of a Child (ORS 163.432, 163.433)
  - Contributing to Sexual Delinquency of a Minor (ORS 163.435)
  - Sexual Misconduct if offender is over 18 years of age (ORS 163.445, 163.452, 163.454)
  - Public and Private Indecency with prior sex crime conviction (ORS 163.465 (2)(b), 163.467)
  - Incest with a Child Victim (ORS 163.525)
  - Using a Child in a Display of Sexually Explicit Conduct (ORS 163.670)
  - Encouraging Child Sexual Abuse (ORS 163.684, 163.686, 163.687)
  - Possession of Materials Depicting Sexually Explicit Conduct of Child I (ORS 163.688)
  - Invasion of Personal Privacy I (ORS 163.701)

- Burglary in any degree, when the intended crime is a sex crime (ORS 164.215, 164.225)
  - Abuse of a Corpse I (ORS 166.087(1)(a))
  - Promoting Prostitution (ORS 167.012)
  - Compelling Prostitution (ORS 167.017)
  - Luring a Minor (ORS 167.057)
  - Sexual Assault of an Animal ORS 167.333)
- Any Domestic Violence Felony or Misdemeanor, includes any attempt of a domestic violence felony or misdemeanor (ORS 135.230)
- Any Felony Stalking (ORS 163.732), any Violation of a Stalking Protective Order (ORS 163.750), and Felony Strangulation (ORS 163.187)
- The following Class B felony-controlled substance offenses:
  - Manufacture of Hydrocodone within 1,000 Feet of a School (ORS 475.808)
  - Delivery of Hydrocodone within 1,000 Feet of a School (ORS 475.812)
  - Delivery to Minor of Controlled Substance Schedule III (ORS 475.906(2))
  - Causing Another Person to Ingest a Controlled Substance (ORS 475.908(1))
  - Applying a Schedule III Controlled Substance to the Body of a Minor (ORS 475.910(2))
  - Manufacture of Methamphetamine (ORS 475.886)
  - Distribution of Equipment, Solvent, Reagent, or Precursor Substance with Intent to Facilitate Manufacture of Controlled Substance (ORS 475.962)
- The following felony-and misdemeanor-controlled substance offenses involving minors:
  - Using a Minor in a Controlled Substance Offense (ORS 167.262)
  - Unlawful Delivery of a Schedule IV Controlled Substance to a Minor (ORS 475.906(3))
  - Unlawful Delivery of a Schedule V Controlled Substance to a Minor (ORS 475.906(4))
  - Applying a Schedule IV Controlled Substance to the Body of a Minor (ORS 475.910(3))
  - Applying a Schedule V Controlled Substance to the Body of a Minor (ORS 475.910(4))
- Any of the following offenses (does not include attempt, solicitation, or conspiracy to commit these offenses):
  - Fugitive from Justice (ORS 133.747)
  - Escape in any degree (ORS 162.145, 162.155, 162.165)
  - Unauthorized Departure (ORS 162.175)
  - Failure to Appear in any degree (ORS 162.195, 162.205)
  - Tampering with a Witness (ORS 162.285)
  - Resisting Arrest (ORS 162.315)
  - Giving False Information to a Peace Officer (ORS 162.385, 807.620)
  - Bias Crime I (ORS 166.165)
  - Felon in Possession of Firearm (ORS 166.270)
  - Unlawful Possession of Machine Guns, Certain Short-barreled Firearms, and Firearm Silencers (ORS 166.272)
  - Possession of a Firearm or Dangerous Weapon in a Public Building or Court Facility (ORS 166.370)
  - Fleeing or Attempted to Elude (ORS 811.540)

**REMEMBER: VIOLATIONS OF A COURT ORDER ARE TO BE HELD FOR ARRAIGNMENT INCLUDING, BUT NOT LIMITED TO:**

- Violations of Family Abuse Prevention Act (FAPA) Orders
- Release Condition Violations on Pending Cases
- Probation Violations
- Court Ordered No Trespassing Violations
- Stalking Court Orders

**RELEASABLE OFFENSES TO AVOID A MATRIX RELEASE OF EXISTING SENTENCED OFFENDERS (Release under Category 2) :**

- Giving False Information to Police Officer (ORS 807.620 False Information on a traffic violation)
- Failure to Appear (ORS 162.195, a misdemeanor, except if the charge is related to an existing release agreement)
- Felon in Possession of Firearm
- Stalking (Misdemeanor, under a conditional release with no contact with the protected person)
- Defendants held because of overriding circumstance if there are no threats of violence
- Violations of Court Ordered No Trespassing Violations
- Giving False Information to a Peace Officer (ORS 162.385, 807.620)
- Outstanding warrant arrests if the jurisdiction of the warrant origination is not going to extradite.