

FILED
CIRCUIT COURT

2018 JUN 14 AM 11:09

DESCHUTES COUNTY
OREGON

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

In the Matter of the Restraint of Defendants)
Appearing Before the Court) GENERAL ORDER
) No. 2018-03
)
_____)

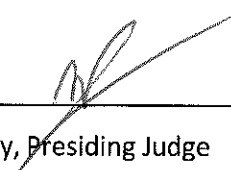
Whereas the United States Supreme Court has overturned the 9th Circuit Court of Appeals decision in United States v. Sanchez-Gomez, et al, and it appearing to the Court that the interest of justice continues to require that certain security functions be assigned to the Deschutes County Sheriff's Office (DCSO) Jail Command Staff and Deputies to provide for the most appropriate use of Sheriff's Office and Circuit Court resources;

NOW THEREFORE, IT IS HEREBY ORDERED that prior to all evidentiary hearings (e.g. trials, probation violation hearings, etc.) DCSO Jail Command Staff and Deputies will review in-custody defendant's history and current circumstances which are reasonably related to the necessity for the defendant to appear in restraints. If the Sheriff's Office concludes that the available information regarding the defendant's history and current circumstances do not necessitate the use of restraints for appearance before the court, the defendant will appear in court without restraints. When the Sheriff's Office determines there is history and/or current circumstances raising the issue of the defendant wearing restraints in court, the Sheriff's Office will provide a written report regarding the history and current circumstances to the Court and counsel, to allow the Court to conduct an individualized inquiry, hear argument from Counsel and make a decision as to whether the defendant will appear in court in restraints.

For all other non-evidentiary hearings, defendants in the custody of the Deschutes County Sheriff's Department shall appear in court in restraints pursuant to Deschutes County Sheriff's Office policy, procedures and practices to ensure the safety of defendants and others present in court.

1 This order supersedes Presiding Judge Order 2017-12 dated October 9, 2017 which is hereby
2 rescinded.

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4 DATED this 14th day of June, 2018.

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Wells B. Ashby, Presiding Judge