

**EXHIBIT P-II
JUVENILE AGGRAVATED MURDER
CODING INSTRUCTIONS FOR CRIMINAL HISTORY/RISK ASSESSMENT
OAR 255-032-0005**

These instructions address the application of the Criminal History/Risk Assessment scoring instrument in most circumstances. Invariably, situations will arise where judgment will have to be exercised. As a general rule, never add a point when genuine doubt exists and note such items. This instrument should be scored based on documented or recorded information whenever possible. To the extent reliable information can be obtained from other sources, it may also be used. Reliable information is information derived from any source upon which there is a reasonable basis to believe that it is accurate.

(A) Age at First Contact with Juvenile Justice System:

16 or over:	0
15:	1
12-14:	2
11 or under:	3

In general, the purpose of this item is to determine at what age the inmate began to have contact with juvenile authorities for violations of laws. "First contact with juvenile justice system" is defined as a delinquency or dependency petition filed in juvenile court alleging a delinquent act committed by the inmate. The term "delinquent act" means an act which if committed by an adult would constitute a crime in the state of Oregon. The inmate does not have to be found within the jurisdiction of the juvenile court in order for this item to apply. This item applies if a petition is filed.

Score 0 if the inmate had reached his/her 16th birthday before he/she had their first contact with the juvenile justice system.

Score 1 if the inmate had reached 15th birthday, but was less than 16 years old.

Score 2 if the inmate had reached 12th birthday, but was less than 15 years old.

Score 3 if the inmate had not reached 12th birthday when first had contact with juvenile justice system.

(B) History of Criminal Behavior:

No history of prior crimes:	0
Adjudicated or convicted of minor property crime(s)	1
Adjudicated or convicted of major property crime(s)	3
Adjudicated or convicted of single person crime	4
Adjudicated or convicted of multiple person crimes	6

In general, the purpose of this item is to consider previous verified instances of criminal conduct. "Minor property crimes" are misdemeanor crimes involving property. "Major property crimes" are felony crimes involving property as defined in the Sentencing Guidelines. "Person crimes" are misdemeanor or felony crimes defined as person crimes under the Sentencing Guidelines. The term "adjudicated" means a finding in juvenile court that the inmate in fact committed an act which if committed by an adult would constitute a crime. "Conviction" refers to any criminal convictions in adult court (for cases in which the juvenile was remanded to adult court and convicted of a crime).

- Score 0 if there is no record of prior adjudication's or convictions.
 - Score 1 if inmate was adjudicated or convicted of any minor property crime(s).
 - Score 3 if inmate was adjudicated or convicted of any major property crime(s).
 - Score 4 if inmate was adjudicated or convicted of a single person crime.
 - Score 6 if the inmate was adjudicated or convicted of two or more person crimes.
-

(C) Prior Supervision Behavior

No prior supervision	0
Technical violation during previous supervision period	1
Reoffended after previous supervision period	2
Reoffended during previous supervision period	3

In general, the purpose of this item is to consider the inmate's behavior during and following a period of supervision such as probation or parole. "Supervision" means any term of court-ordered probation, parole or post-prison supervision as a result of any proceeding in juvenile or adult court. The term "reoffended" means an adjudication in juvenile court or conviction in adult court. "Technical violation" means the inmate did not comply with a condition of supervision other than new criminal behavior.

- Score 0 if the inmate has never been on any form of probation or parole in juvenile or adult court.
 - Score 1 if the inmate committed technical violation(s) during a previous supervision period.
 - Score 2 if the inmate committed the crime(s) of conviction within three (3) years of completion of a prior period of any form of probation or parole in juvenile or adult court.
 - Score 3 if the inmate committed crime of conviction while being supervised on any form of probation or parole in juvenile or adult court.
-

(D) History of Drug or Alcohol Use:

No known use	0
Occasional use/experimental use/no dependence	1
Regular use/dependence/serious disruption of life	2

In general, the purpose of this item is to consider the inmate's history of drug and/or alcohol use. "No use" is no history of use of drugs or alcohol. "Occasional use/experimental use/no dependence" is use without evidence of sustained use or dependence; use that satisfies curiosity; use that does not involve prolonged disruption in functioning. "Regular use/dependence/serious disruption to life" is use that is chronic, frequent or regular; use that is sustained over time; use that results in prolonged disruption of functioning.

- Score 0 if no known history of drug or alcohol use.
 - Score 1 if there is reliable information indicating occasional or experimental use but no dependence.
 - Score 2 if there is reliable information indicating regular use, dependence and/or use that results in serious disruption of the inmate's life.
-

(E) History of Discipline at School:

Good adjustment/No known disciplinary problems:	0
Minor disciplinary adjustments or problems:	1
Serious disciplinary adjustments or problems:	2
Expulsion from school:	3

In general, the purpose of this item is to consider the inmate's history of disciplinary problems in school. "Good adjustment" means no disciplinary problems in school and regular attendance. "Minor disciplinary adjustments or problems" means occasional problems with attendance, work effort, and minor disciplinary actions. "Serious disciplinary adjustments or problems" means habitual truancy and/or severe disciplinary actions such as suspension or expulsion. "Expulsion" means termination from enrollment in a school for disciplinary reasons.

Score 0 if the inmate has not had any disciplinary problems and there has been regular attendance.

Score 1 if the inmate has had occasional problems with attendance, work effort and/or minor disciplinary actions.

Score 2 if the inmate has had habitual truancy and/or severe disciplinary actions such as suspension or expulsion.

Score 3 if the inmate has been expelled from a school.
