

Sentence Dispositions

Convicted felons serve a sentence of either a term of incarceration or probation. The 1995 legislative session enacted Senate Bill 1145, which directs local government to assume responsibility for convicted felons with sentences of 12 months or less (ORS 137.124). If the total prison sentence exceeds twelve months, the Department of Corrections (DOC) receives custody of the offender. Probation can include a court ordered treatment program as well as a jail sentence.

Probation & Prison Dispositions

- ***Probation Dispositions:*** Probation sentences accounted for 74 percent of all sentence dispositions. The highest rate of probation occurred among Driving and Drug felonies with probation rates of 87 percent and 85 percent, respectively.
- ***Length of Probation:*** Person crimes involving sex received the longest probation sentences at 60 months average. Drug Possession crimes had the shortest average probation sentence at 18 months. All Drug crimes combined constituted 50 percent of all probation sentences for 1998.

Seventy-five percent of all probation sentences for Drug crimes included a court-ordered treatment program. Over half of all probation sentences for sex crimes included a court-ordered sexual offender treatment program.

- ***Prison Dispositions:*** The ten crimes of conviction with the longest average prison sentence were all Person crimes of sex and violence. These crimes accounted for 60 percent of all prison dispositions.

Person crimes received prison sentences in 58 percent of those dispositions. Person crimes were also the most frequent crime of conviction for felons sentenced to the Department of Corrections. They received the longest average sentence at 51 months.

Within the category of Person crimes, the longest prison sentences were given for Homicide with average prison sentences of 115 months. Offenders convicted of Robbery, Rape, Sodomy, and other sex crimes received average prison sentences of 50 to 64 months.

Driving crimes received the shortest average prison sentence at seven months.

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Sentence Dispositions by Crime Type

The highest rate of prison sentences (58 percent) occurred for offenders convicted of Person crimes. Driving offenses received the highest rate of probation sentences at 87 percent. Convictions for felony Drug crimes constituted the second highest rate of probationary sentences at 85 percent. Similar information is shown in Table 7 and Fig. 5 (next page) for the 15 crime categories.

Table 6. Sentence Dispositions by Crime Type with Prison Sentences Separated into Department of Correction (DOC) Custody and Local Facility Custody.

Crime Type	DOC Prison	DOC Rate	Local Facility	Local Rate	Probation	Probation Rate	Total
Person	1,295	53%	129	5%	1,005	41%	2,429
Property	800	21%	242	6%	2,824	73%	3,866
Driving	16	1%	146	12%	1,096	87%	1,258
Drug	554	9%	405	6%	5,498	85%	6,457
Other	185	15%	191	15%	876	70%	1,252
Total	2,850	19%	1,113	7%	11,299	74%	15,262

Probation sentences accounted for 74 percent of all sentence dispositions. Driving and Drug crimes had the highest rates of probation at 87 percent and 85 percent respectively. Crimes against persons had the highest prison rate at 53 percent of the dispositions. Person crimes were the most frequent crime of conviction for offenders sentenced to the Department of Corrections.

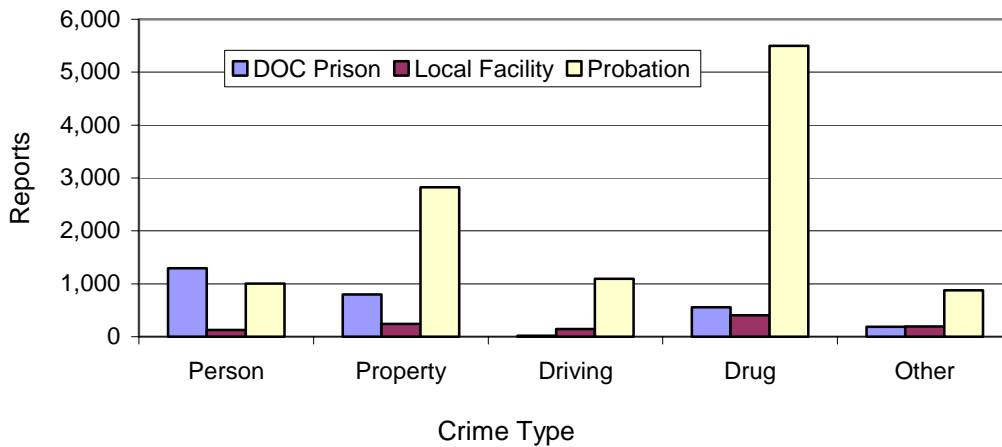


Figure 4. Frequency of Sentence Dispositions by Crime Type.

Sentence Dispositions

Sentence Dispositions by Crime

Table 7. Sentence Dispositions and Disposition Rates by Crime and Custody for the Most Serious Crime of Conviction.

Crimes	DOC Prison	DOC Rate	Local Facility	Local Rate	Probation	Probation Rate	Total
Arson	18	41%		0%	26	59%	44
Assault	343	46%	29	4%	381	51%	753
Burglary	334	32%	41	4%	674	64%	1,049
Driving	16	1%	146	12%	1,096	87%	1,258
Drug Possession	24	6%	267	7%	3,798	93%	4,089
Drug Mfg/Delivery	530	23%	137	6%	1,646	71%	2,313
Forgery/Fraud	5	1%	49	11%	392	88%	446
Homicide	84	86%		0%	14	14%	98
Other	184	15%	191	15%	887	70%	1,262
Other Person	143	35%	47	12%	216	53%	406
Other Property	10	6%	9	5%	153	89%	172
Other Sex	172	62%	7	3%	98	35%	277
Rape/Sodomy	206	65%	6	2%	103	33%	315
Robbery	329	61%	40	7%	173	32%	542
Theft/MV Theft	452	20%	144	6%	1,642	73%	2,238
Total	2,850	19%	1,113	7%	11,299	74%	15,262

Homicide had the highest prison rate with 86 percent of the convictions resulting in a prison sentence to the Department of Corrections. Crimes classified as Other had the highest sentencing rate to a local facility. Drug possession had the highest probation rate at 93 percent.

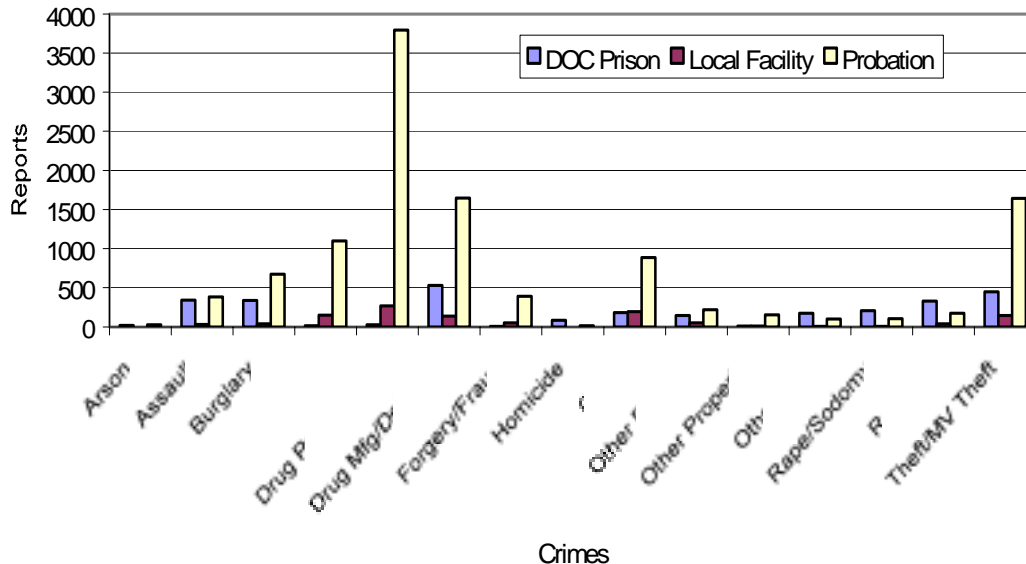


Figure 5. Reports of Prison Dispositions by Crime with Sentences Separated by Length for Department of Corrections (DOC) and Local Facility Custody.

Sentence Dispositions

Crimes of Conviction for the Most Frequent Prison Sentences

Table 8. The Ten Most Frequent Crime of Conviction for Felons Sentenced to Prison and the Percent Distribution of Prison Dispositions.

Crime	Incarceration		Percent		Percent of Total
	DOC	Local	DOC	Local Reports	
Mfg/Delivery Controlled Substance	467	134	78%	22%	601
Unauthorized Use Vehicle	296	72	80%	20%	368
Burglary I	275	20	93%	7%	295
Possession Controlled Substance	24	267	8%	92%	291
Felon Possession Firearm	103	69	60%	40%	172
Theft I	117	53	69%	31%	170
Assault III	133	21	86%	14%	154
Robbery II	153		100%	0%	153
Sexual Abuse I	139	3	98%	2%	142
Driving While Suspended	3	124	2%	98%	127
Top Ten	1,710	763	69%	31%	2,473
All Other Prison	1,140	350	77%	23%	1,490

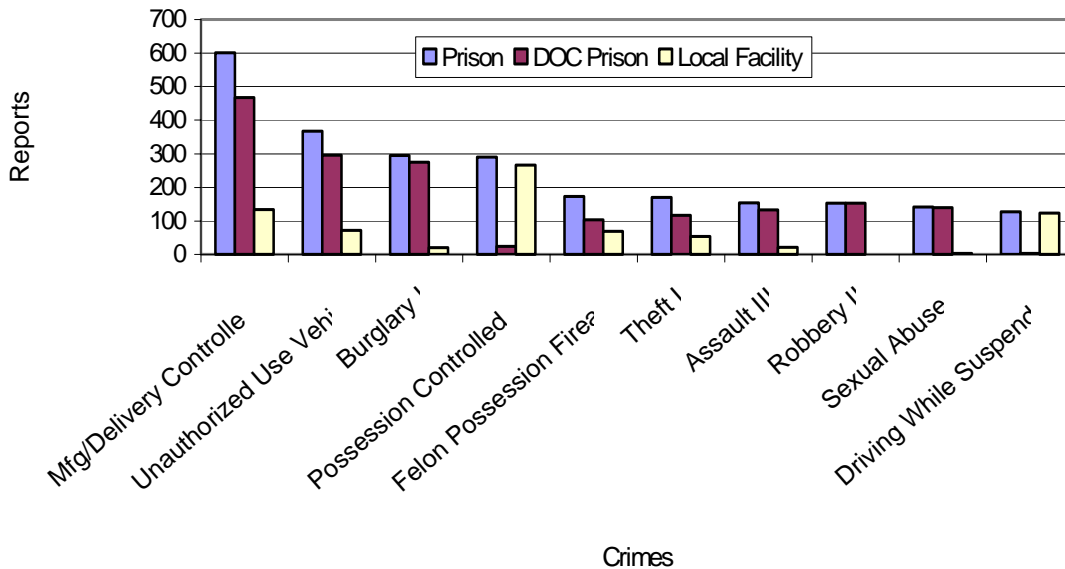


Figure 6. The Ten Most Frequent Crimes of Conviction for Felons Sentenced to Prison Separated by Department of Corrections and Local Facility Custody.

Delivery of a controlled substance was the most frequent crime of conviction among felons sentenced to prison. The ten most frequent crimes among felons sentenced to prison accounted for 60 percent of all prison dispositions.

Sentence Dispositions

Sentence Dispositions by Statute

Table 9 shows sentence dispositions by crime according to the most serious crime of conviction. The length of the prison sentence was used to determine whether sentences were to the DOC (13 months or more) or to local control (12 months or less).

Table 9. Sentence Dispositions by Statute Title and Number.

Law Description	Statute Number	Prison DOC	Prison Local	Probation	Total Reports
Abuse of Corpse II	166.085			1	1
Aggravated Animal Abuse 1	167.322			3	3
Arson I	164.325	18		20	38
Arson II	164.315			6	6
Assault I	163.185	72	1	15	88
Assault II	163.175	120	6	59	185
Assault III	163.165	133	21	255	409
Assault IV	163.160	18	1	52	71
Attempt To Elude Police	811.540		20	159	179
Bribe-Giving	162.015			4	4
Burglary I	164.225	275	20	378	673
Burglary II	164.215	59	21	295	375
Buying/Selling Custody of a Minor	163.537	1			1
Carry/Use Dangerous Weapon	166.220	22	3	65	90
Child Neglect I	163.547	2		15	17
Coercion	163.275	15		27	42
Compelling Prostitution	167.017	1			1
Criminal Impersonation	162.365			1	1
Criminal Impersonation of Officer	162.367			1	1
Criminal Mischief I	164.365	10	9	153	172
Criminal Mistreatment I	163.205	19	1	67	87
Criminal Negligent Homicide	163.145	15		14	29
Criminal Nonsupport	163.555		1	16	17
Criminal Possession Rented Property	164.140			3	3
Criminal Trespass I	164.255			1	1
Custodial Interference I	163.257	1		12	13
Custodial Interference II	163.245	1		10	11
Delivery Controlled Substance 1000 ft School	475.999	51	3	44	98
Delivery Controlled Substance To Minor I&II	475.995	9		17	26
Driving While Suspended	811.182	3	124	882	1,009
Encouraging Child Sexual Abuse II	163.686	1		2	3
Encouraging Child Sexual Abuse I	163.684	2		1	3
Escape I	162.165	1	1		2
Escape II	162.155	43	18	25	86
Fail Perform Duties Driver	811.705	13	2	55	70
Fail to Register Address Sex Offender	181.519		7	27	34
Fail to Register Sex Offender	181.599		2	7	9
Failure To Appear I	162.205	12	86	312	410
False Statement Election Laws	260.715			3	3
Felon Possession Firearm	166.270	103	69	293	465

Sentence Dispositions

Law Description	Statute Number	Prison DOC	Prison Local	Probation	Total Reports
Fish & Game Violation	496.162			1	1
Forged Title Or Registration	803.230			1	1
Forgery I	165.013	4	31	289	324
Fraud-Credit Card	165.055		7	17	24
Hinder Prosecution	162.325	6	1	33	40
Hit & Run Injury/Fatal	483.602		1	1	2
Incest	163.525			3	3
Inmate Possession Weapon Prison	166.275	7	1	3	11
Kidnapping I	163.235	30		2	32
Kidnapping II	163.225	20	1	10	31
Manslaughter I	163.118	14			14
Manslaughter II	163.125	21			21
Manu/Del/Possession Controlled Substance	475.992	491	401	5,378	6,270
Murder	163.115	27			27
Murder Aggravated Attempt/Con	163.095	7			7
Negotiating Bad Check	165.065		1	2	3
Perjury	162.065	1		5	6
Possession Explosive/Firearm Public Bldg	166.370			1	1
Possession Forged Instrument I	165.022		8	34	42
Possession Forgery Device	165.032	1	1		2
Possession Stolen Vehicle	819.300	6	1	14	21
Promote Gambling I	167.127			1	1
Promote Prostitution	167.012	7		2	9
Racketeering	166.720	4			4
Rape I	163.375	59		7	66
Rape II	163.365	13		4	17
Rape III	163.355	32	4	54	90
Riot	166.015			6	6
Robbery I	164.415	98	1	4	103
Robbery II	164.405	153		19	172
Robbery III	164.395	78	39	150	267
Sexual Abuse I	163.427	139	3	64	206
Sexual Abuse II	163.425	20	4	26	50
Sexual Penetration I	163.411	24		10	34
Sexual Penetration II	163.408	3			3
Sodomy I	163.405	63	2	14	79
Sodomy II	163.395	9		4	13
Sodomy III	163.385	3		10	13
Solicitation Murder/Treason	161.435			1	1
Stalking	163.732	1			1
Submit Wrong Claim For Pay	411.675			1	1
Supply Contraband	162.185	19	39	38	96
Tamper with Drug Records	167.212		1	54	55
Tamper with a Witness	162.285	5	1	4	10
Theft by Deception	164.095	1		10	11
Theft By Extortion	164.075	1			1
Theft by Receiving	164.085	1	4	11	16

Sentence Dispositions

Law Description	Statute Number	Prison DOC	Prison Local	Probation	Total Reports
Theft I	164.055	117	53	930	1,100
Theft I Aggravated	164.057	29	13	86	128
Theft Of Services	164.125	1		3	4
Traffic In Stolen Vehicles	819.310		1	3	4
Unauthorized Use Vehicle	164.135	296	72	582	950
Unlawful Factor Credit Card Trans	165.074			1	1
Unlawful Mfg Destruct Device	166.384	1		5	6
Unlawful Obtain Public Asst	411.630			32	32
Unlawful Possession Destruct Device	166.382		2	12	14
Unlawful Possession Firearms/Silencer	166.272	5	3	32	40
Unlawful Use Of A Computer	164.377		1	6	7
Unlawful Use Of Food Stamps	411.840			10	10
Use Child Display Sexual Conduct	163.670	10		2	12
Use Minor/Mfg Controlled Substance	167.262	3		5	8
Violation Court Stalking Order	163.750			1	1
Wildlife Violation	498.002			1	1
Grand Total		2,850	1,113	11,299	15,262

Sentence Dispositions

Sentence Dispositions by County

Table 10 compares sentence disposition rates by county. Of those receiving probation, 635 reports indicated that the offender received bench probation, while 10,359 reports indicated supervised probation.

Table 10. Sentence Dispositions Rates by County				
County	Prison DOC	Prison Local Probation	Total Reports	
Multnomah	20%	5%	75%	5,525
Lane	20%	8%	72%	1,365
Marion	25%	17%	58%	1,303
Jackson	12%	3%	84%	831
Douglas	16%	10%	74%	675
Linn	18%	12%	70%	621
Washington *	17%	6%	77%	590
Deschutes	19%	7%	74%	507
Clackamas	12%	7%	81%	500
Klamath	10%	3%	87%	473
Josephine	26%	6%	68%	465
Coos	22%	5%	73%	441
Yamhill	17%	14%	69%	276
Benton	15%	1%	85%	239
Malheur	21%	8%	70%	220
Polk	13%	8%	79%	209
Wasco	11%	8%	81%	200
Lincoln	21%	3%	76%	125
Tillamook	17%	17%	66%	122
Columbia	17%	4%	80%	114
Crook	20%	8%	72%	103
Jefferson	12%	10%	78%	100
Hood	13%	0%	87%	92
Baker	26%	2%	72%	61
Harney	17%	10%	72%	29
Wallowa	16%	0%	84%	19
Gilliam	0%	0%	100%	18
Lake	25%	19%	56%	16
Sherman	0%	0%	100%	10
Grant	0%	22%	78%	9
Clatsop	0%	0%	100%	3
Union	0%	0%	100%	1
Total	19%	7%	74%	15,262

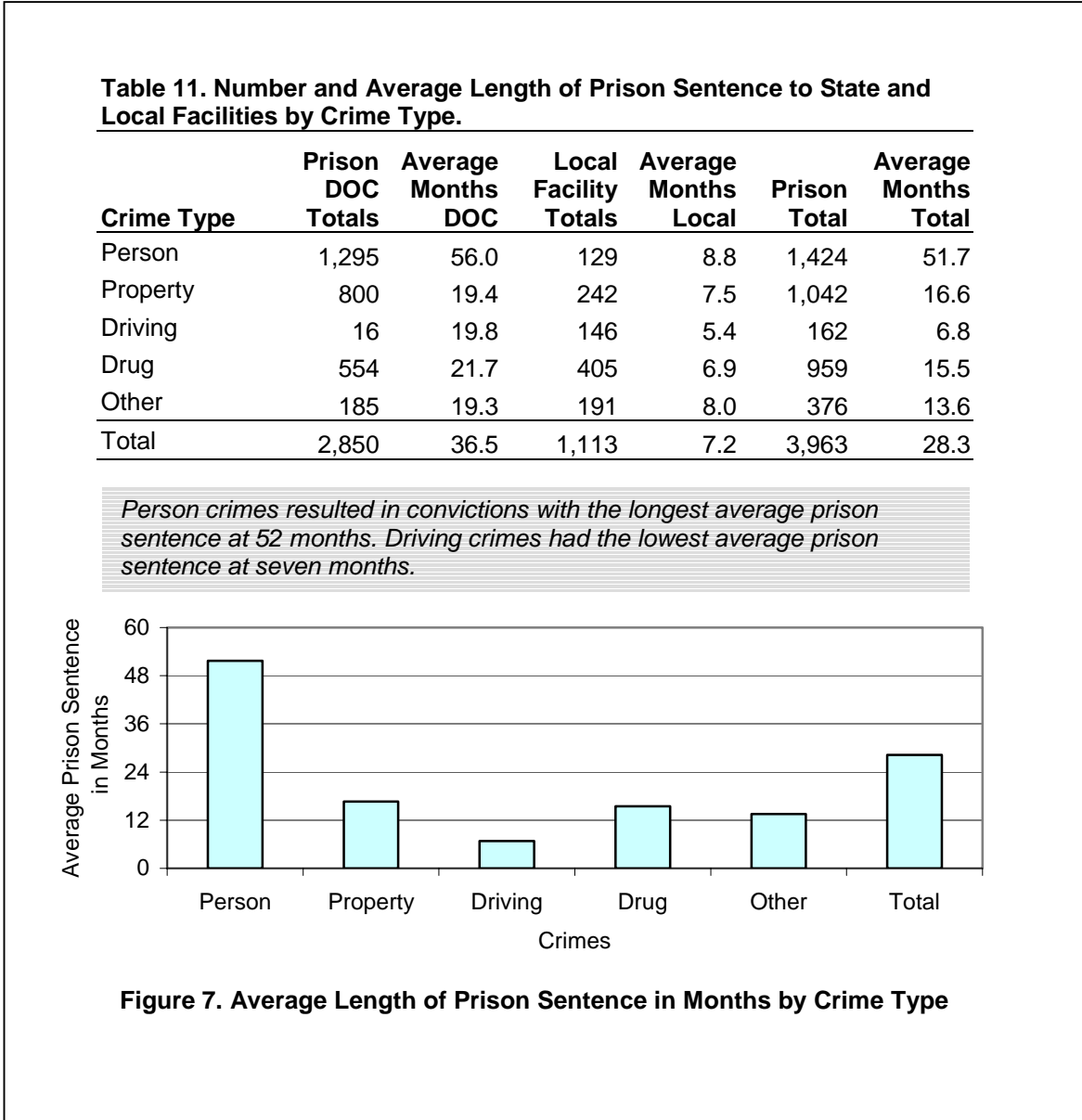
The disposition rates for local prison sentences differ considerably by county. Differences in the kind and types of crime may account for some of the variance by county in addition to the availability of the facilities

* Washington County filed reports for only part of 1998.

Sentence Dispositions

Average Prison Sentence by Crime Type

Table 11 shows the average length of prison sentences in months by crime type and custody. The "Average Months Total" includes only those receiving a prison sentence. Figure 7 shows the "Average Months Total" for all prison sentences.



Sentence Dispositions

Average Prison Sentence by Crime

Figure 8 and Table 12 show the average prison sentences in months by the crime of conviction. Homicide resulted in the longest average prison sentence. Averages for Robbery, Rape, Sodomy, and Other Sex crimes ranged from 50 to 64 months. The average for Forgery/Fraud was eight months. The shortest average prison sentences were for Drug Possession and Driving crimes, both with seven-month averages.

Table 12. Average Prison Sentence in Months by Crime.

Crime	Average Prison Sentence			Total Reports
	DOC Prison	Local Facility	Incarceration	
Arson	44.8		44.8	18
Assault	41.3	9.2	38.8	372
Burglary	25.9	8.9	24.1	375
Driving	19.8	5.4	6.8	162
Drugs Mfg./Delivery	21.8	9.9	19.3	667
Drug Possession	20.0	5.4	6.6	291
Forgery/Fraud	14.2	7.2	7.9	54
Homicide	117.0		117.0	84
Other	19.4	7.9	13.6	375
Other Person	42.5	7.6	33.9	190
Other Property	15.4	7.1	11.5	19
Other Sex	51.1	9.6	49.5	179
Rape /Sodomy	66.6	8.3	64.9	212
Robbery	58.1	9.7	52.9	369
Theft/MV Theft	14.7	7.2	12.9	596
Total	36.5	7.2	28.3	3,963

Homicides received the longest average sentences at 117 months. Robbery, rape, sodomy, and other sex crimes had average sentences of 50 to 64 months in length.

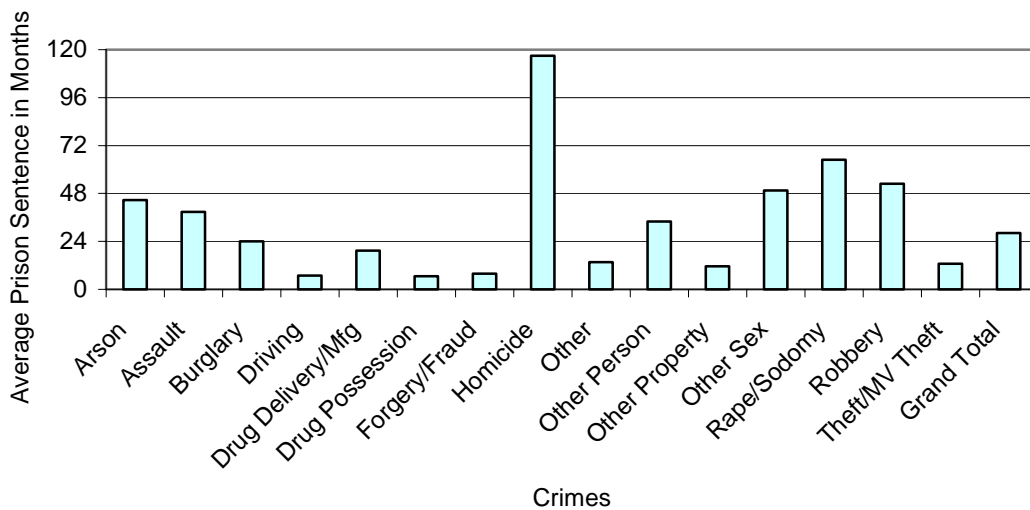


Figure 8. Average Length of Prison Sentence in Months by Crime.

Sentence Dispositions

Crimes with the Longest Prison Sentences

Table 13. Crimes with the Longest Average Prison Sentence.

Crime	Average Prison Sentence	
	Months	Years
Murder	177.6	14.8
Manslaughter I	137.8	11.5
Murder Aggravated Attempt/Conspiracy	131.4	11.0
Rape I	87.2	7.3
Robbery I	80.2	6.7
Manslaughter II	78.7	6.6
Kidnapping I	77.0	6.4
Sodomy I	76.2	6.4
Sexual Penetration I	64.0	5.3
Assault I	61.3	5.1

The ten crimes of conviction with the longest average prison sentences were all person crimes of sex and violence.

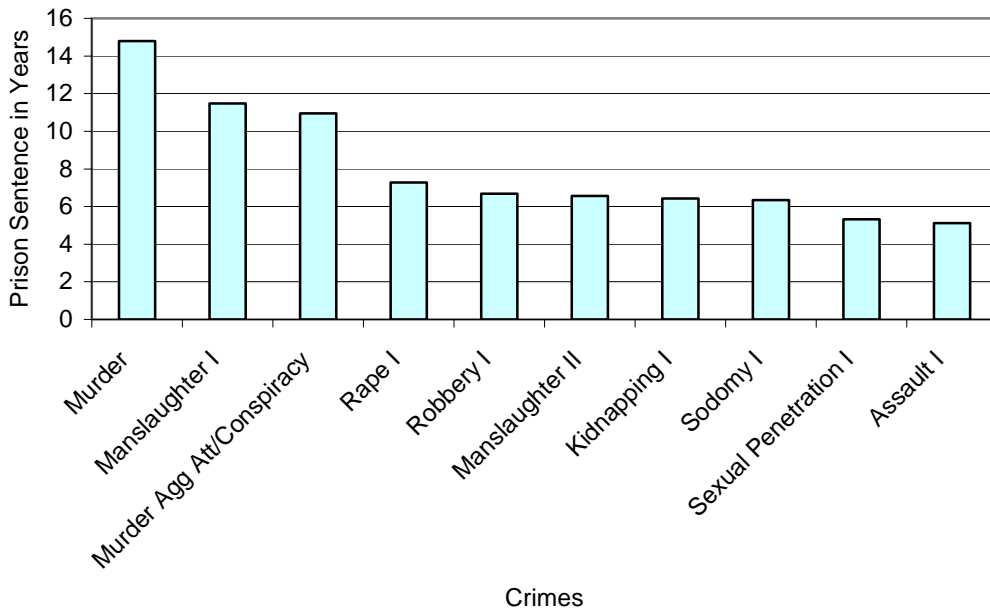


Figure 9. Crimes with the Longest Prison Sentence in Months

Sentence Dispositions

Average Prison Sentence by Statute

Table 14 shows the average prison sentence in months listed by statute (with description, subject to abbreviation). The average prison sentences for those sentenced to the Department of Corrections (DOC) and local custody are also shown.

Table 14. Average Prison Sentence by Statute

Statute Description	Statute Number	Prison DOC	Prison Local	Overall Average
Arson I	164.325	44.8		44.8
Assault I	163.185	62.0	12.0	61.3
Assault II	163.175	51.5	8.0	49.5
Assault III	163.165	24.1	9.2	22.0
Assault IV	163.160	17.7	12.0	17.4
Attempt To Elude Police	811.540		6.1	6.1
Burglary I	164.225	28.2	9.3	26.9
Burglary II	164.215	15.2	8.6	13.5
Buying/Selling Custody of a Minor	163.537	41.0		41.0
Carry/Use Dangerous Weapon	166.220	33.3	8.0	30.3
Child Neglect I	163.547	14.5		14.5
Coercion	163.275	26.3		26.3
Compelling Prostitution	167.017	45.0		45.0
Criminal Mischief I	164.365	15.4	7.1	11.5
Criminal Mistreatment I	163.205	29.6	3.0	28.3
Criminal Negligent Homicide	163.145	35.3		35.3
Criminal Nonsupport	163.555		6.0	6.0
Custodial Interference I	163.257	19.0		19.0
Custodial Interference II	163.245	18.0		18.0
Delivery Controlled Substance 1000 ft School	475.999	25.2	12.0	24.5
Delivery Controlled Substance To Minor I&II	475.995	24.9		24.9
Driving While Suspended	811.182	13.3	5.3	5.5
Encouraging Child Sexual Abuse I	163.684	28.5		28.5
Encouraging Child Sexual Abuse II	163.686	16.0		16.0
Escape I	162.165	15.0	9.0	12.0
Escape II	162.155	19.5	9.1	16.5
Fail Perform Duties Driver	811.705	21.3	7.0	19.4
Fail to Register Address Sex Offender	181.519		7.0	7.0
Fail to Register Sex Offender	181.599		9.0	9.0
Failure To Appear I	162.205	18.6	6.5	7.9
Felon Possession Firearm	166.270	18.7	9.4	15.0
Forgery I	165.013	14.3	7.5	8.2
Fraud-Credit Card	165.055		7.7	7.7
Hinder Prosecution	162.325	21.7	6.0	19.4
Hit & Run Injury/Fatal	483.602		10.0	10.0
Inmate Possession Weapon Prison	166.275	28.0	8.0	25.5
Kidnapping I	163.235	77.0		77.0
Kidnapping II	163.225	53.2	12.0	51.2
Manslaughter I	163.118	137.8		137.8
Manslaughter II	163.125	78.7		78.7
Manu/Del/Possession Controlled Substance	475.992	21.3	6.9	14.8

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<u>Statute Description</u>	<u>Statute Number</u>	<u>Prison DOC</u>	<u>Prison Local</u>	<u>Overall Average</u>
Murder	163.115	177.6		177.6
Murder Aggravated Attempt/Con	163.095	131.4		131.4
Negotiating Bad Check	165.065		6.0	6.0
Perjury	162.065	13.0		13.0
Possession Forged Instrument I	165.022		6.1	6.1
Possession Forgery Device	165.032	14.0	7.0	10.5
Possession Stolen Vehicle	819.300	14.5	9.0	13.7
Promote Prostitution	167.012	49.3		49.3
Racketeering	166.720	43.5		43.5
Rape I	163.375	87.2		87.2
Rape II	163.365	53.6		53.6
Rape III	163.355	20.7	8.0	19.3
Robbery I	164.415	80.9	12.0	80.2
Robbery II	164.405	60.7		60.7
Robbery III	164.395	24.5	9.7	19.6
Sexual Abuse I	163.427	55.3	10.3	54.4
Sexual Abuse II	163.425	34.9	9.0	30.5
Sexual Penetration I	163.411	64.0		64.0
Sexual Penetration II	163.408	56.0		56.0
Sodomy I	163.405	78.3	9.0	76.2
Sodomy II	163.395	54.3		54.3
Sodomy III	163.385	26.7		26.7
Stalking	163.732	45.0		45.0
Supply Contraband	162.185	17.4	7.5	10.8
Tamper with Drug Records	167.212		6.0	6.0
Tamper with Witness	162.285	17.0	4.0	14.8
Theft by Deception	164.095	13.0		13.0
Theft By Extortion	164.075	13.0		13.0
Theft by Receiving	164.085	13.0	7.0	8.2
Theft I	164.055	14.0	6.8	11.8
Theft I Aggravated	164.057	17.1	9.0	14.6
Theft Of Services	164.125	13.0		13.0
Traffic In Stolen Vehicles	819.310		6.0	6.0
Unauthorized Use Vehicle	164.135	14.7	7.2	13.3
Unlawful Mfg Destruct Device	166.384	18.0		18.0
Unlawful Possession Destruct Device	166.382		12.0	12.0
Unlawful Possession Firearms/Silencer	166.272	17.2	11.0	14.9
Unlawful Use Of A Computer	164.377		6.0	6.0
Use Child Display Sexual Conduct	163.670	32.7		32.7
Use Minor/Mfg Controlled Substance	167.262	18.0		18.0
Totals		36.5	7.2	28.3

Sentence Dispositions

Average Probation Sentences by Crime

Table 15 and Figure 10 show the average length of probation sentences in months according to crime.² Averages for probation sentences range from 18 to 60 months, a much smaller range than found in prison sentences (Table 12). All Homicide convictions resulting in probation sentences were for Criminally Negligent Homicide.

Rape/Sodomy received the longest average probation sentence at 61.1 months.

Although Drug Possession had the shortest average probation sentence at 18 months, all drug crimes combined made up half of the probation sentences for 1998.

Table 15. Average Probation Sentence in Months by Crime, including Jail Rate and Average Length of Jail Sentence

Crime	Average Probation	Jail Rate	Jail Days	Total Reports
Arson	34.6	65%	50.0	26
Assault	36.9	69%	52.6	380
Burglary	30.0	65%	40.8	668
Driving	19.9	64%	21.6	1,055
Drugs Mfg./Delivery	32.8	62%	44.4	1,639
Drug Possession	18.0	68%	19.1	3,753
Forgery/Fraud	22.0	45%	25.0	390
Homicide	39.4	57%	95.0	14
Other	29.5	56%	35.3	870
Other Person	35.2	63%	53.9	213
Other Property	21.3	39%	26.3	150
Other Sex	59.6	66%	64.7	98
Rape/Sodomy	61.1	59%	51.2	102
Robbery	28.0	60%	47.8	170
Theft/MV Theft	24.3	52%	26.9	1,628
Total	25.0	62%	30.1	11,156

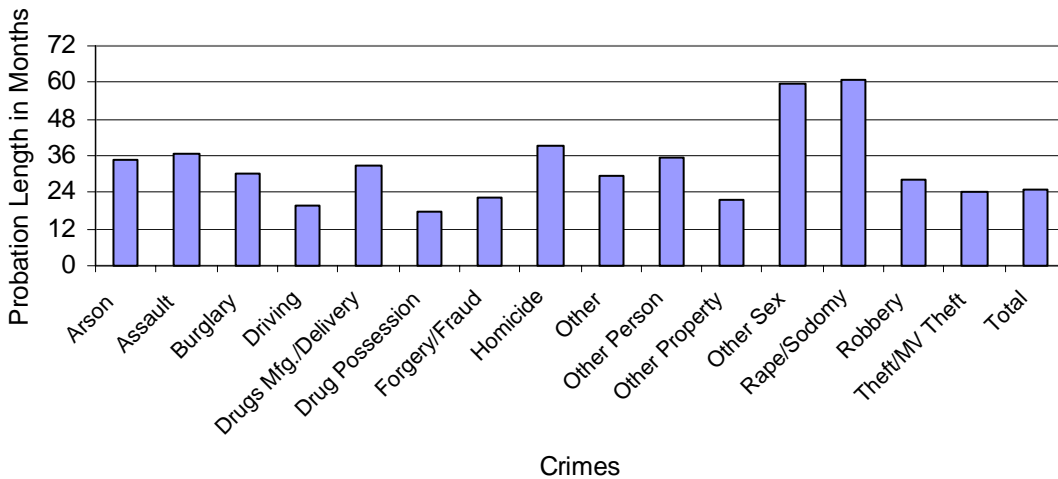


Figure 10. Average Length of Probation Sentence in Months by Crime.

² This table does not include sentencing reports where the length of probation was not reported.

Sentence Dispositions

Crimes Receiving Probation as a Disposition Most Frequently ³

Table 16 and Figure 11 show the crimes most frequently receiving probation as a disposition and include the average probation sentence in months, length of jail sentence, and the average rate at which these offenders receive jail as a condition of probation. Table 17 lists the average probation sentence by statute.

Table 16. The Ten Crimes Receiving Probation Sentences Most Frequently, Average Length in Months, Jail Rate, Average Length of Jail Sentence in Days, and Percent of All Reports.

Crime	Probation	Jail Rate	Jail Days	Reports	Percent
Possession Controlled Substance	18.0	68%	19.1	3753	34%
Delivery/Mfg Controlled Substance	32.6	62%	44.1	1573	14%
Theft I	23.9	53%	24.7	926	8%
Driving While Suspended	19.3	65%	19.1	844	8%
Unauthorized Use Vehicle	22.9	50%	25.9	573	5%
Burglary I	37.0	63%	55.6	375	3%
Failure To Appear I	24.6	53%	26.8	300	3%
Burglary II	20.9	67%	22.3	292	3%
Felon Possession Firearm	35.2	62%	43.0	290	3%
Forgery I	21.8	47%	25.8	287	3%

Ten crimes accounted for 80 percent of all felony probation sentences.

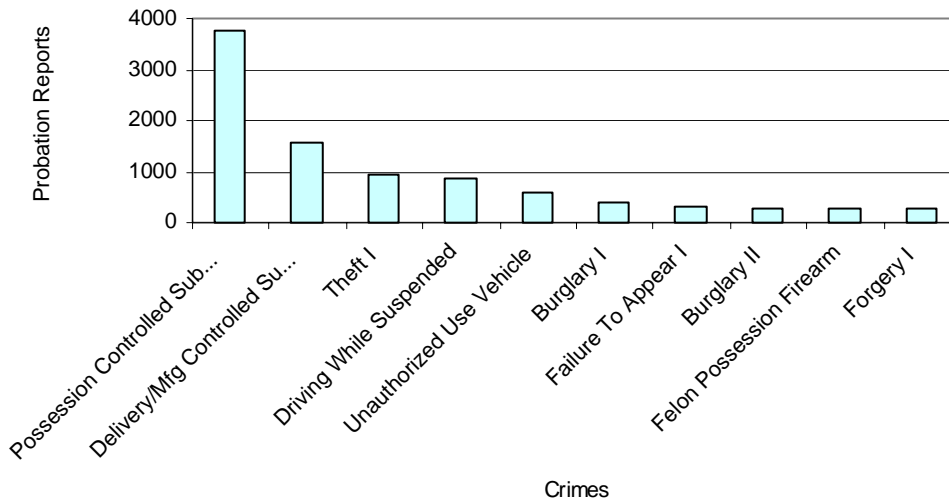


Figure 11. The Ten Crimes Receiving Probation Sentences Most Frequently

³ Drug crimes in this section do not include the crimes of: Delivery Within 1000 Feet of a School, Delivery to a Minor, Use of a Minor to Manufacture a Controlled Substance, or Tampering With Drug Records. Thirteen reports of probation for Drug crimes did not include the drug modifier and are therefore not included.

Sentence Dispositions

Average Length of Probation Sentence by Statute

Table 17. Average Length of Probation Sentence in Months and Jail Rate by Statute

Law Description	Statute Number	Probation Months	Jail Rate	Jail Days	Probation Total
Abuse of Corpse II	166.085	24.0	100%	20	1
Aggravated Animal Abuse 1	167.322	28.0	33%	30	3
Arson I	164.325	36.0	65%	60	20
Arson II	164.315	30.0	67%	18	6
Assault I	163.185	36.0	73%	95	15
Assault II	163.175	37.8	64%	50	59
Assault III	163.165	36.8	71%	51	254
Assault IV	163.160	36.5	63%	51	52
Attempt To Elude Police	811.540	18.4	56%	24	156
Bribe-Giving	162.015	33.0	0%		4
Burglary I	164.225	37.0	63%	56	375
Burglary II	164.215	20.9	67%	22	292
Carry/Use Dangerous Weapon	166.220	34.6	66%	49	64
Child Neglect I	163.547	25.6	53%	34	15
Coercion	163.275	39.6	70%	69	27
Criminal Impersonation	162.365	18.0	100%	5	1
Criminal Impersonation of Officer	162.367	24.0	0%		1
Criminal Mischief I	164.365	21.3	39%	26	150
Criminal Mistreatment I	163.205	39.0	55%	62	67
Criminal Negligent Homicide	163.145	39.4	57%	103	14
Criminal Nonsupport	163.555	27.8	50%	23	16
Criminal Possession Rented Property	164.140	26.0	0%		3
Criminal Trespass I	164.255	36.0	100%	90	1
Custodial Interference I	163.257	37.0	58%	37	12
Custodial Interference II	163.245	27.6	40%	33	10
Delivery Controlled Substance 1000 ft School	475.999	36.3	61%	59	44
Delivery Controlled Substance To Minor I&II	475.995	40.6	65%	34	17
Driving While Suspended	811.182	19.1	65%	19	844
Encouraging Child Sexual Abuse I	163.684	36.0	0%	60	1
Encouraging Child Sexual Abuse II	163.686	24.0	50%		2
Escape II	162.155	36.0	64%	62	25
Fail Perform Duties Driver	811.705	35.7	56%	55	55
Fail to Register Address Sex Offender	181.519	24.0	64%	29	25
Fail to Register Sex Offender	181.599	27.4	43%	28	7
Failure To Appear I	162.205	24.6	53%	27	300
False Statement Election Laws	260.715	22.0	0%		3
Felon Possession Firearm	166.270	35.2	62%	43	290
Fish & Game Violation	496.162	18.0	100%	30	1
Forged Title Or Registration	803.230	18.0	0%		1
Forgery I	165.013	21.8	47%	26	287
Fraud-Credit Card	165.055	22.6	59%	21	17
Hinder Prosecution	162.325	36.0	45%	41	33
Incest	163.525	60.0	0%	90	3
Inmate Possession Weapon Prison	166.275	36.0	33%	30	3

Sentence Dispositions

Law Description	Statute Number	Probation Months	Jail Rate	Jail Days	Probation Total
Kidnapping I	163.235	36.0	50%	59	2
Kidnapping II	163.225	40.8	90%	44	10
Manu/Del/Possession Controlled Substance	475.992	22.3	66%	19	5,326
Negotiating Bad Check	165.065	18.0	50%	30	2
Perjury	162.065	36.0	60%	43	5
Possession Explosive/Firearm Public Bldg	166.370	36.0	0%		1
Possession Forged Instrument I	165.022	19.8	41%	27	34
Possession Stolen Vehicle	819.300	22.2	31%	48	13
Promote Gambling I	167.127	24.0	100%	30	1
Promote Prostitution	167.012	36.0	50%	30	2
Rape I	163.375	94.3	14%	90	7
Rape II	163.365	78.0	50%	60	4
Rape III	163.355	43.7	72%	42	53
Riot	166.015	33.0	100%	60	6
Robbery I	164.415	48.0	50%	60	4
Robbery II	164.405	46.0	61%	65	18
Robbery III	164.395	25.3	60%	46	148
Sexual Abuse I	163.427	65.4	61%	54	64
Sexual Abuse II	163.425	49.8	88%	64	26
Sexual Penetration I	163.411	82.8	40%	79	10
Sodomy I	163.405	92.6	57%	69	14
Sodomy II	163.395	90.0	50%	75	4
Sodomy III	163.385	45.6	50%	35	10
Solicitation Murder/Treason	161.435	18.0	0%		1
Submit Wrong Claim For Pay	411.675	18.0	100%	30	1
Supply Contraband	162.185	24.6	62%	35	37
Tamper with Drug Records	167.212	18.7	54%	23	54
Tamper with Witness	162.285	36.0	75%	29	4
Theft by Deception	164.095	28.8	40%	33	10
Theft by Receiving	164.085	31.1	36%	12	11
Theft I	164.055	23.8	53%	25	926
Theft I Aggravated	164.057	38.2	58%	53	86
Theft Of Services	164.125	36.0	0%		3
Traffic In Stolen Vehicles	819.310	28.0	0%		3
Unauthorized Use Vehicle	164.135	22.9	50%	26	573
Unlawful Factor Credit Card Trans	165.074	24.0	100%	10	1
Unlawful Mfg Destruct Device	166.384	36.0	40%	53	5
Unlawful Obtain Public Asst	411.630	27.0	22%	20	32
Unlawful Possession Destruct Device	166.382	35.0	42%	40	12
Unlawful Possession Firearms/Silencer	166.272	33.6	66%	33	32
Unlawful Use Of A Computer	164.377	18.0	50%	17	6
Unlawful Use Of Food Stamps	411.840	21.0	30%	17	10
Use Child Display Sexual Conduct	163.670	48.0	100%	228	2
Use Minor/Mfg Controlled Substance	167.262	36.0	40%	30	5
Violation Court Stalking Order	163.750	36.0	100%	90	1
Wildlife Violation	498.002	18.0	100%	10	1
Grand Total		25.0	62%	30	11,156

Sentence Dispositions

Probation Length, Jail Rate and Average Days in Jail by County

Table 18 shows the average lengths of probation sentences by county. It includes the percent of those whose probation sentence included a jail term as a condition of probation and the average length of those jail sentences in days.

County	Average Probation	Jail Rate	Days Jail	Probation Reports
Multnomah	24.0	50%	26.3	4,122
Lane	26.4	75%	26.8	968
Marion	26.5	49%	50.5	752
Jackson	25.2	94%	48.0	699
Douglas	25.9	27%	41.5	451
Linn	26.6	57%	23.3	437
Washington	23.1	48%	17.1	427
Deschutes	24.4	86%	22.0	411
Clackamas	23.3	63%	15.9	404
Klamath	24.9	80%	26.1	367
Josephine	27.0	92%	42.7	319
Coos	26.3	82%	22.9	312
Yamhill	24.5	84%	16.5	199
Benton	27.2	94%	28.2	188
Malheur	25.6	67%	30.3	165
Polk	23.7	70%	27.2	162
Wasco	29.7	34%	36.6	154
Lincoln	30.1	34%	62.7	94
Tillamook	26.2	81%	42.5	90
Columbia	26.1	91%	25.2	80
Crook	23.2	69%	21.4	78
Jefferson	24.2	64%	29.7	77
Hood	23.5	91%	29.0	74
Baker	28.9	30%	52.4	44
Harney	27.1	76%	31.8	21
Wallowa	22.0	6%	60.0	18
Gilliam	22.5	100%	43.1	16
Lake	22.0	89%	27.6	9
Sherman	31.7	57%	11.5	7
Grant	20.6	43%	17.3	7
Clatsop	22.0	100%	15.0	3
Union	18.0	100%	30.0	1
Total	25.0	62%	30.0	11,156

The average probation sentence varies little by county, whereas the jail rate and the average jail sentence in days vary substantially from county to county. Differences in jail rates and sentences may be due to a combination of factors including facility capacity, availability of alternative programs, and frequency of crime type.

Sentence Dispositions

Treatment as a Condition of Probation

Fifty-one percent of those receiving a probation sentence were ordered to complete a treatment program as a condition of probation. Those who fail to complete their treatment program risk revocation of the probation sentence. In 1,504 out of 5,618 sentences (27 percent), more than one type of treatment was ordered. Table 19 shows the percent of offenders ordered into various types of treatment program by crime of conviction. Table 20 shows the frequency of treatment programs ordered as a condition of probation by county.

Table 19. Treatment Programs as a Condition of Probation.

Crime	Treatment	Sex				Total	
		Drug	Alcohol	Mental	Offender		
Arson	35%	8%	15%	31%	0%	4%	26
Assault	43%	20%	31%	7%	0%	8%	381
Burglary	33%	25%	19%	4%	0%	3%	674
Driving	22%	12%	18%	1%	0%	1%	1,096
Drugs	74%	74%	16%	1%	0%	1%	5,444
Forgery/Fraud	25%	22%	8%	1%	0%	2%	392
Homicide	57%	7%	43%	7%	0%	7%	14
Other	27%	22%	9%	3%	0%	2%	887
Other Person	39%	24%	16%	9%	4%	11%	216
Other Property	24%	11%	13%	5%	0%	3%	153
Other Sex	60%	12%	9%	2%	55%	1%	98
Rape/Sodomy	57%	17%	13%	5%	52%	6%	103
Robbery	32%	23%	17%	5%	0%	3%	173
Theft/MV Theft	24%	18%	9%	2%	0%	3%	1,642
Total	50%	45%	15%	2%	1%	2%	11,299

Seventy-five percent of the sentences of probation for drug crimes included a court ordered treatment program and over half of the probation sentences for sex crimes had a sex offender treatment program ordered.

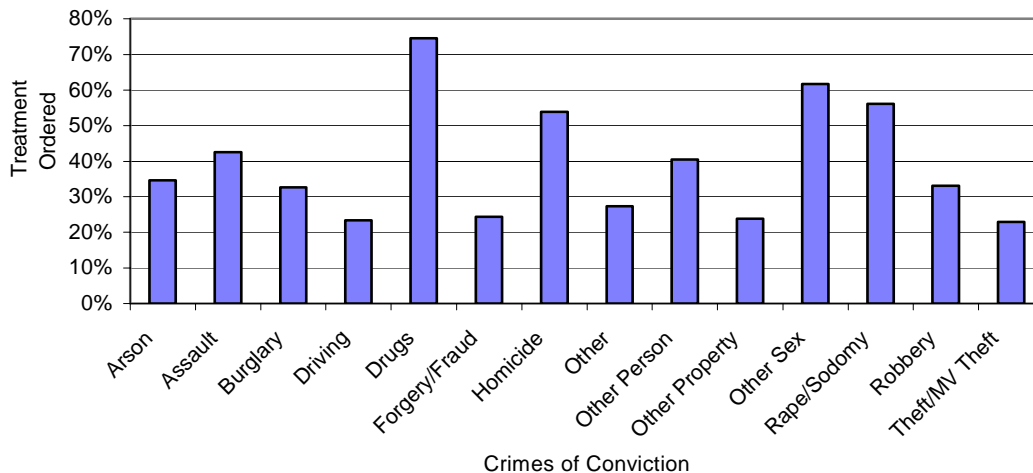


Figure 12. Percent of Probation Sentences with a Court Ordered Treatment Program by Crime.

Sentence Dispositions

Treatment Programs as a Condition of Probation by County⁴

Table 20. Treatment Programs as a Condition of Probation by County.

County	Treatment Programs	Drug	Alcohol	Mental	Sex Offender	Other	Probation Reports
Multnomah	76%	74%	12%	1%	0%	0%	4,137
Lane	28%	24%	9%	2%	1%	2%	983
Marion	23%	19%	5%	0%	1%	2%	756
Jackson	11%	9%	8%	1%	1%	1%	702
Douglas	12%	11%	4%	1%	1%	0%	500
Washington	52%	35%	13%	5%	1%	8%	452
Linn	21%	17%	8%	1%	1%	0%	436
Klamath	64%	62%	60%	2%	2%	1%	412
Clackamas	42%	33%	18%	2%	1%	3%	406
Deschutes	71%	55%	33%	5%	4%	5%	377
Coos	23%	20%	2%	2%	0%	1%	323
Josephine	2%	1%	1%	0%	1%	1%	314
Benton	30%	21%	15%	2%	3%	4%	202
Yamhill	79%	60%	27%	4%	7%	9%	190
Polk	55%	41%	12%	4%	8%	7%	165
Wasco	72%	69%	70%	1%	2%	4%	162
Malheur	68%	43%	21%	10%	4%	21%	155
Lincoln	58%	44%	34%	0%	3%	1%	95
Columbia	51%	46%	44%	7%	2%	4%	91
Hood	55%	41%	41%	3%	0%	18%	80
Tillamook	61%	40%	31%	8%	1%	1%	80
Jefferson	62%	44%	24%	4%	1%	3%	78
Crook	53%	41%	15%	4%	1%	1%	74
Baker	41%	25%	16%	0%	7%	0%	44
Harney	62%	38%	24%	14%	0%	10%	21
Gilliam	33%	17%	22%	0%	0%	17%	18
Wallow	25%	19%	6%	0%	0%	0%	16
Sherman	20%	20%	0%	0%	0%	0%	10
Lake	0%	0%	0%	0%	0%	0%	9
Grant	43%	43%	43%	0%	29%	0%	7
Clatsop	33%	33%	0%	0%	0%	0%	3
Union	100%	100%	0%	0%	0%	0%	1
Grand Total	50%	45%	15%	2%	1%	2%	11,299

⁴ The availability of treatment programs and their use varies by county.