

## Appendix

### Appendix A: Oregon Revised Statutes Grouped by Crime Type

Crime Type	Statute Description	Number	Reports
Driving	Attempt To Elude Police	811.54	179
	Driving While Suspended	811.182	1,009
	Fail Perform Duties Driver	811.705	70
	Hit & Run Injury/Fatal	483.602	2
Driving Total			1,260
Drug	Delivery Controlled Substance 1000 ft School	475.999	98
	Delivery Controlled Substance To Minor I&II	475.995	26
	Manu/Del/Possession Controlled Substance	475.992	6,270
	Tamper with Drug Records	167.212	55
	Use Minor/Mfg Controlled Substance	167.262	8
Drug Total			6,457
Other	Abuse of Corpse II	166.085	1
	Aggravated Animal Abuse 1	167.322	3
	Bribe-Giving	162.015	4
	Child Neglect I	163.547	17
	Criminal Impersonation	162.365	1
	Criminal Impersonation of Officer	162.367	1
	Criminal Nonsupport	163.555	17
	Custodial Interference I	163.257	13
	Custodial Interference II	163.245	11
	Escape II	162.155	86
	Fail to Register Address Sex Offender	181.519	34
	Fail to Register Sex Offender	181.599	9
	Failure To Appear I	162.205	410
	False Statement Election Laws	260.715	3
	Felon Possession Firearm	166.27	465
	Fish & Game Violation	496.162	1
	Forged Title Or Registration	803.23	1
	Hinder Prosecution	162.325	40
	Perjury	162.065	6
	Possession Explosive/Firearm Public Bldg	166.37	1
	Possession Forgery Device	165.032	2
	Promote Gambling I	167.127	1
	Racketeering	166.72	4
	Riot	166.015	6
	Solicitation Murder/Treason	161.435	1
	Submit Wrong Claim For Pay	411.675	1
	Tamper with Witness	162.285	10
	Unlawful Mfg Destruct Device	166.384	6
	Unlawful Obtain Public Asst	411.63	32
	Unlawful Possession Destruct Device	166.382	14
	Unlawful Possession Firearms/Silencer	166.272	40
	Unlawful Use Of Food Stamps	411.84	10
Wildlife Violation	498.002	1	
Other Total			1,252

## Appendix

<b>Crime Type</b>	<b>Statute Description</b>	<b>Number</b>	<b>Reports</b>
Person	Arson I	164.325	38
	Assault I	163.185	88
	Assault II	163.175	185
	Assault III	163.165	409
	Assault IV	163.16	71
	Buying/Selling Custody of a Minor	163.537	1
	Carry/Use Dangerous Weapon	166.22	90
	Coercion	163.275	42
	Compelling Prostitution	167.017	1
	Criminal Mistreatment I	163.205	87
	Criminal Negligent Homicide	163.145	29
	Encouraging Child Sexual Abuse I	163.684	3
	Encouraging Child Sexual Abuse II	163.686	3
	Escape I	162.165	2
	Incest	163.525	3
	Inmate Possession Weapon Prison	166.275	11
	Kidnapping I	163.235	32
	Kidnapping II	163.225	31
	Manslaughter I	163.118	14
	Manslaughter II	163.125	21
	Murder Aggravated Attempt/Con	163.095	7
	Murder Attempt	163.115	27
	Promote Prostitution	167.012	9
	Rape I	163.375	66
	Rape II	163.365	17
	Rape III	163.355	90
	Robbery I	164.415	103
	Robbery II	164.405	172
	Robbery III	164.395	267
	Sexual Abuse I	163.427	206
	Sexual Abuse II	163.425	50
	Sexual Penetration I	163.411	34
	Sexual Penetration II	163.408	3
	Sodomy I	163.405	79
	Sodomy II	163.395	13
	Sodomy III	163.385	13
	Stalking	163.732	1
	Supply Contraband	162.185	96
	Use Child Display Sexual Conduct	163.67	12
	Violation Court Stalking Order	163.75	1
<b>Person Total</b>			<b>2427</b>
Property	Arson II	164.315	6
	Burglary I	164.225	673
	Burglary II	164.215	375
	Criminal Mischief I	164.365	172
	Criminal Possession Rented Property	164.14	3
	Criminal Trespass I	164.255	1
	Forgery I	165.013	324
	Fraud-Credit Card	165.055	24

## Appendix

<b>Crime Type</b>	<b>Statute Description</b>	<b>Number</b>	<b>Reports</b>
Property	Negotiating Bad Check	165.065	3
	Possession Forged Instrument I	165.022	42
	Possession Stolen Vehicle	819.3	21
	Theft by Deception	164.095	11
	Theft By Extortion	164.075	1
	Theft by Receiving	164.085	16
	Theft I	164.055	1,100
	Theft I Aggravated	164.057	128
	Theft Of Services	164.125	4
	Traffic In Stolen Vehicles	819.31	4
	Unauthorized Use Vehicle	164.135	950
	Unlawful Factor Credit Card Trans	165.074	1
	Unlawful Use Of A Computer	164.377	7
<b>Property Total</b>			<b>3,866</b>
<b>Grand Total</b>			<b>15,262</b>

## Appendix

### Appendix B: Oregon Revised Statutes Grouped by Offense

Crime	Statute Description	Number	Reports
Arson	Arson I	164.325	38
	Arson II	164.315	6
Arson Total			44
Assault	Assault I	163.185	88
	Assault II	163.175	185
	Assault III	163.165	409
	Assault IV	163.16	71
Assault Total			753
Burglary	Burglary I	164.225	673
	Burglary II	164.215	375
	Criminal Trespass I	164.255	1
	Criminal Trespass I Total		1
Burglary Total			1,049
Driving	Attempt To Elude Police	811.54	179
	Driving While Suspended	811.182	1,009
	Fail Perform Duties Driver	811.705	70
	Hit & Run Injury/Fatal	483.602	2
Driving Total			1,260
Drugs	Delivery Controlled Substance 1000 ft School	475.999	98
	Delivery Controlled Substance To Minor I&II	475.995	26
	Manu/Del/Possession Controlled Substance	475.992	6,270
	Use Minor/Mfg Controlled Substance	167.262	8
Drugs Total			6,402
Forgery/Fraud	Forgery I	165.013	324
	Fraud-Credit Card	165.055	24
	Negotiating Bad Check	165.065	3
	Possession Forged Instrument I	165.022	42
	Possession Forgery Device	165.032	2
	Submit Wrong Claim For Pay	411.675	1
	Unlawful Factor Credit Card Trans	165.074	1
	Unlawful Obtain Public Asst	411.63	32
	Unlawful Use Of A Computer	164.377	7
	Unlawful Use Of Food Stamps	411.84	10
Forgery/Fraud Total			446
Homicide	Criminal Negligent Homicide	163.145	29
	Manslaughter I	163.118	14
	Manslaughter II	163.125	21
	Murder Aggravated Attempt/Con	163.095	7
	Murder Attempt	163.115	27
Homicide Total			98
Other	Abuse of Corpse II	166.085	1
	Aggravated Animal Abuse 1	167.322	3
	Bribe-Giving	162.015	4
	Child Neglect I	163.547	17
	Criminal Impersonation	162.365	1

## Appendix

Crime	Statute Description	Number	Reports
Other	Criminal Impersonation of Officer	162.367	1
	Criminal Nonsupport	163.555	17
	Custodial Interference I	163.257	13
	Custodial Interference II	163.245	11
	Escape II	162.155	86
	Fail to Register Address Sex Offender	181.519	34
	Fail to Register Sex Offender	181.599	9
	Failure To Appear I	162.205	410
	False Statement Election Laws	260.715	3
	Felon Possession Firearm	166.27	465
	Fish & Game Violation	496.162	1
	Forged Title Or Registration	803.23	1
	Hinder Prosecution	162.325	40
	Perjury	162.065	6
	Possession Explosive/Firearm Public Bldg	166.37	1
	Promote Gambling I	167.127	1
	Racketeering	166.72	4
	Riot	166.015	6
	Solicitation Murder/Treason	161.435	1
	Tamper with Drug Records	167.212	55
	Tamper with Witness	162.285	10
Unlawful Mfg Destruct Device	166.384	6	
Unlawful Possession Destruct Device	166.382	14	
Unlawful Possession Firearms/Silencer	166.272	40	
Wildlife Violation	498.002	1	
<b>Other Total</b>			<b>1,262</b>
Other Person	Buying/Selling Custody of a Minor	163.537	1
	Carry/Use Dangerous Weapon	166.22	90
	Coercion	163.275	42
	Compelling Prostitution	167.017	1
	Criminal Mistreatment I	163.205	87
	Escape I	162.165	2
	Inmate Possession Weapon Prison	166.275	11
	Kidnapping I	163.235	32
	Kidnapping II	163.225	31
	Promote Prostitution	167.012	9
	Stalking	163.732	1
	Supply Contraband	162.185	96
	Violation Court Stalking Order	163.75	1
<b>Other Person Total</b>			<b>404</b>
Other Property	Criminal Mischief I	164.365	172
<b>Other Property Total</b>			<b>172</b>
Other Sex	Encouraging Child Sexual Abuse I	163.684	3
	Encouraging Child Sexual Abuse II	163.686	3
	Encouraging Child Sexual Abuse II Total		3
	Incest	163.525	3
	Incest Total		3
	Sexual Abuse I	163.427	206

## Appendix

<b>Crime</b>	<b>Statute Description</b>	<b>Number</b>	<b>Reports</b>
Other Sex	Sexual Abuse II	163.425	50
	Use Child Display Sexual Conduct	163.67	12
<b>Other Sex Total</b>			<b>277</b>
Rape/Sodomy	Rape I	163.375	66
	Rape II	163.365	17
	Rape III	163.355	90
	Rape III Total		90
	Sexual Penetration I	163.411	34
	Sexual Penetration II	163.408	3
	Sodomy I	163.405	79
	Sodomy II	163.395	13
	Sodomy III	163.385	13
<b>Rape/Sodomy Total</b>			<b>315</b>
Robbery	Robbery I	164.415	103
	Robbery II	164.405	172
	Robbery III	164.395	267
<b>Robbery Total</b>			<b>542</b>
Theft/MV Theft	Criminal Possession Rented Property	164.14	3
	Possession Stolen Vehicle	819.3	21
	Theft by Deception	164.095	11
	Theft By Extortion	164.075	1
	Theft by Receiving	164.085	16
	Theft I	164.055	1,100
	Theft I Aggravated	164.057	128
	Theft Of Services	164.125	4
	Traffic In Stolen Vehicles	819.31	4
	Unauthorized Use Vehicle	164.135	950
<b>Theft/MV Theft Total</b>			<b>2,238</b>
<b>Grand Total</b>			<b>15,262</b>

## Appendix

### Appendix C: Criminal History Categories

Oregon Administrative Rule 213-04-007 defines criminal history categories.

<b>A</b>	The criminal history includes three or more person felonies in any combination of adult convictions or juvenile adjudications.
<b>B</b>	The criminal history includes two person felonies in any combination of adult convictions or juvenile adjudications.
<b>C</b>	The criminal history includes one adult conviction or juvenile adjudication for a person felony; and one or more adult conviction or juvenile adjudication for a non-person felony.
<b>D</b>	The criminal history includes one adult conviction or juvenile adjudication for a person felony but no adult conviction or juvenile adjudications for a non-person felony.
<b>E</b>	The criminal history includes four or more adult convictions for non-person felonies but no adult conviction or juvenile adjudication for a person felony.
<b>F</b>	The criminal history includes two or three adult convictions for non-person felonies but no adult conviction or juvenile adjudication for a person felony.
<b>G</b>	The criminal history includes four or more adult convictions for Class A misdemeanors; one adult conviction for a non-person felony; or three or more juvenile adjudications for non-person felonies, but no adult conviction or juvenile adjudication for a person felony.
<b>H</b>	The criminal history includes no adult felony conviction or juvenile adjudication for a person felony; no more than two juvenile adjudications for non-person felonies; and no more than three adult convictions for Class A misdemeanors.
<b>I</b>	The criminal history does not include any juvenile adjudication for a felony or any adult conviction for a felony or Class A misdemeanor.

## Appendix

### Appendix D: The Oregon Sentencing Guidelines Grid

Crime Seriousness	A	B	C	D	E	F	G	H	I	Prob Term	Max Depart	PPS
11	225-269	196-224	178-194	164-177	149-163	135-148	129-134	122-128	120-121	5 Years		3 Years
10	121-130	116-120	111-115	91-110	81-90	71-80	66-70	61-65	58-60			
9	66-72	61-65	56-60	51-55	46-50	41-45	39-40	37-38	34-36			
8	41-45	35-40	29-34	27-28	25-26	23-24	21-22	19-20	16-18	3 Years	18 Mos.	2 Years
7	31-36	25-30	21-24	19-20	16-18	180-90	180-90	180-90	180-90			
6	25-30	19-24	15-18	13-14	10-12	180-90	180-90	180-90	180-90	2 Years	12 Mos.	2 Years
5	15-16	13-14	11-12	9-10	6-8	180-90	120-60	120-60	120-60			
4	10-11	8-9	120-60	120-60	120-60	120-60	120-60	120-60	120-60	2 Years	6 Mos.	1 Year
3	120-60	120-60	120-60	120-60	120-60	120-60	90-30	90-30	90-30			
2	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	1½ Years	6 Mos.	1 Year
1	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30			

The presumptive grid block for any felony conviction is the intersection where the crime seriousness ranking and the criminal history classification meet. Grid blocks in the shaded area represent the range of presumptive imprisonment and post-prison supervision (PPS). Non-shaded grid blocks are presumptive sentences of probation (Prob. Term) with local custodial sanctions (upper number) and maximum jail without a departure (lower number).

The probation term of 5 years applies to levels 9-11, the term of 3 years applies to levels 6-8, 2 years applies to levels 3-5, and 1 ½ years applies to levels 1-2.

The upward dispositional departure maximum sentence (Max Dispositional Depart) for a presumptive probation sentence shall be:

- (a) Up to six months for offenses classified in Crime Categories 1 and 2, or grid blocks 3-G, 3-H and 3-I;
- (b) Up to twelve months for offenses classified in grid blocks 3-A through 3-F, 4-C through 4-I and 5-G through 5-I; and
- (c) Up to eighteen months for offenses classified in grid blocks 5-F, 6-F through 6-I, and 7-F through 7-I.

Under certain conditions a probation sentence may be imposed in grid blocks 8-G, 8-H and 8-I without a departure.

## Appendix

### Appendix E: Ballot Measure 11 Offenders' Criminal History by Crime in 1994 and 1998

**Table E-1. Ballot Measure 11 Offenders' Criminal History and Crime 1994.**

1994 Crime	Criminal History Categories									Total
	A	B	C	D	E	F	G	H	I	
Aggravated Murder Attempt	1	1			1				2	5
Arson I		1		1		1		1	2	6
Assault I	4	1	4	4	1	1	2	4	8	29
Assault II	9	9	10	10	4	12	10	8	12	84
Attempt Murder	1	1		1		1	4	3	7	18
Compel Prostitution		1	1							2
Kidnapping I	4	3	5	1		1	2	1	8	25
Kidnapping II		1	1			2		6		10
Manslaughter I			2	1			1	3	7	14
Manslaughter II	1	1	1				2		3	8
Murder	2		3		1		7	2	14	29
Rape I	3	5	6	4		2	7	7	13	47
Rape II	1			1		1	1		3	7
Robbery I	14	10	28	6	9	6	9	8	19	109
Robbery II	9	10	10	2	9	1	1	2	1	45
Sex Pen I		1	1	1			1	2	4	10
Sex Pen II			1		1	1				3
Sexual Abuse I	5	8	10	7	5	7	11	15	23	91
Sodomy I	4	5	7	8	3	3	4	9	20	63
Sodomy II	2	3		1		1			3	10
<b>Total</b>	<b>60</b>	<b>61</b>	<b>90</b>	<b>48</b>	<b>34</b>	<b>40</b>	<b>62</b>	<b>71</b>	<b>149</b>	<b>615</b>

**Table E-2. Ballot Measure 11 Offenders' Criminal History and Crime 1998.**

1998 Crime	Criminal History Categories									Total
	A	B	C	D	E	F	G	H	I	
Aggravated Murder Attempt	1	1	1						2	5
Arson I							1			1
Assault I	1		5	2	1		3	3	7	22
Assault II	10	7	9	3	4	2	6	6	12	59
Attempt Murder	1	1	4		1	1	2	1	5	16
Kidnapping I	3	3	4				1	1	1	13
Kidnapping II		1	2					4	1	8
Manslaughter I	1	1	1	2	1			3	4	13
Manslaughter II	1	3		2		1	2	3	8	20
Murder	1		1					3	4	9
Rape I	4	5	3	3	1	1	1	4	14	36
Rape II		1	1	1			2	1	2	8
Robbery I	6	5	14	1	2	3	9	6	14	60
Robbery II	10	9	16	5	3	11	6	12	25	97
Sex Pen I	2			1				2	4	9
Sex Pen II								1	1	2
Sexual Abuse I	2	3	6	12	2	2	6	9	36	78
Sodomy I	1	1	3	3	2		2	5	14	31
Sodomy II			1				2	1	1	5
<b>Total</b>	<b>44</b>	<b>41</b>	<b>71</b>	<b>35</b>	<b>17</b>	<b>21</b>	<b>43</b>	<b>65</b>	<b>155</b>	<b>492</b>

## Appendix

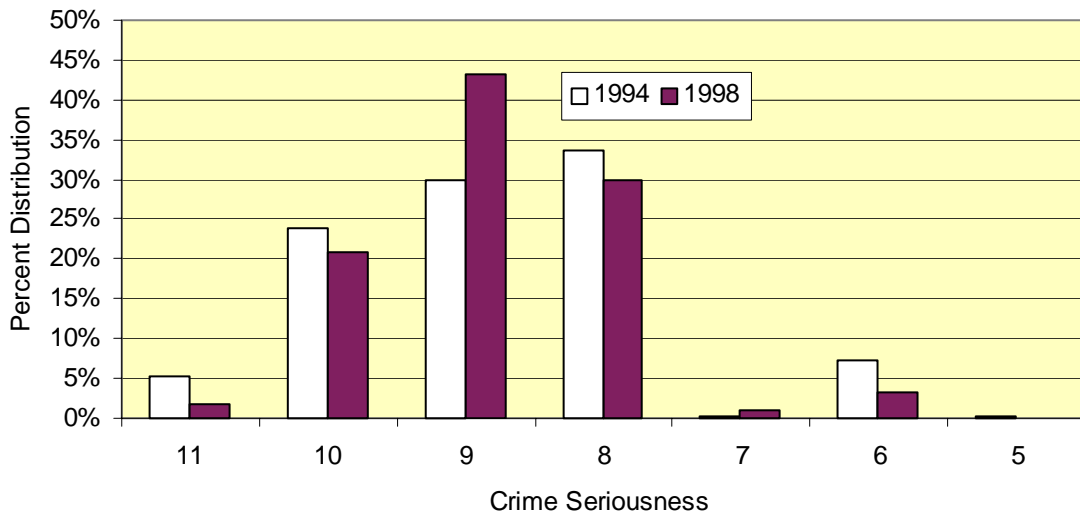
### Appendix F: Number of reports of Grid Blocks for Offenders Sentenced to Prison for a Ballot Measure 11 Crime in 1994 and reported Grid Blocks for Offenders Convicted for and Sentenced to a Ballot Measure 11 Sentence or Longer in 1998.

**Table F-1. Reported Grid Blocks for Felons Sentenced in 1994 to Prison for a Ballot Measure 11 Listed Crime.**

Crime Seriousness	Criminal History Categories									Total	% Total
	A	B	C	D	E	F	G	H	I		
11	2		3		1	1	7	2	16	32	5%
10	11	14	19	16	3	5	13	17	48	146	24%
9	20	16	35	9	11	11	16	26	39	183	30%
8	18	22	22	19	10	22	24	24	45	206	34%
7			1							1	0%
6	9	9	9	2	9	1	2	2	1	44	7%
5			1	1						2	0%
<b>Total</b>	<b>60</b>	<b>61</b>	<b>90</b>	<b>47</b>	<b>34</b>	<b>40</b>	<b>62</b>	<b>71</b>	<b>149</b>	<b>614</b>	<b>100%</b>

**Table F-2. Reported Grid Blocks for Felons Convicted in 1998 of a Ballot Measure 11 Crime and Sentenced to a Ballot Measure 11 Sentence or Longer.**

Crime Seriousness	Criminal History Categories									Total	% Total
	A	B	C	D	E	F	G	H	I		
11	1		1					3	4	9	2%
10	10	9	13	8	3	1	7	12	39	102	21%
9	21	21	40	9	10	13	21	32	46	213	43%
8	10	10	15	18	4	4	14	16	56	147	30%
7						1	1		3	5	1%
6	2	1	2			2		2	7	16	3%
<b>Total</b>	<b>44</b>	<b>41</b>	<b>71</b>	<b>35</b>	<b>17</b>	<b>21</b>	<b>43</b>	<b>65</b>	<b>155</b>	<b>492</b>	<b>100%</b>



**Figure F- 1. Percent Distribution of Felons Convicted in 1994 and Sentenced to Prison for a Ballot Measure 11 and Felons Convicted in 1998 for a Ballot Measure 11 Crime and Sentenced to a Ballot Measure 11 Sentence or Longer.**

## Appendix

# FELONY GUIDELINES SENTENCING REPORT PART A

\* PLEASE PRESS FIRMLY

IDENTIFICATION	<b>1 Court Case #</b>	<b>2 Offender's Last Name</b>	<b>First</b>	<b>MI</b>	<b>3 Sex</b> 1 <input type="checkbox"/> Male 2 <input type="checkbox"/> Female	<b>4 Birthdate</b>
	<b>5 County of Sentencing</b>	<b>6 Race</b> 1 <input type="checkbox"/> White    3 <input type="checkbox"/> Nat. Am.    5 <input type="checkbox"/> Asian 2 <input type="checkbox"/> Black    4 <input type="checkbox"/> Hispanic    6 <input type="checkbox"/> Other			<b>7 SID #</b>	<b>8 Date Found Guilty</b>
	<b>9 Guilty By</b> 1 <input type="checkbox"/> Plea w/charges(s) dropped    4 <input type="checkbox"/> Stipulated Facts 2 <input type="checkbox"/> Plea to lesser included    5 <input type="checkbox"/> Bench Trial 3 <input type="checkbox"/> Plea to original charge(s)    6 <input type="checkbox"/> Jury Trial			<b>10 Supervision Status At Offense</b> 1 <input type="checkbox"/> None    3 <input type="checkbox"/> Post-Prison/Parole 2 <input type="checkbox"/> Probation    4 <input type="checkbox"/> Incarceration/Escape		
	<b>11 Did The Case Involve</b> 1 <input type="checkbox"/> No stipulations    3 <input type="checkbox"/> Stipulated grid block and presumptive sentence 2 <input type="checkbox"/> Stipulated grid block only    4 <input type="checkbox"/> Stipulated grid block and departure sentence					

CRIME SERIOUSNESS	<b>12 Most Serious Offense (Primary Offense)</b>	<b>13 ORS</b>	<b>14 Seriousness Ranking</b>
	<b>15 Offense Modifiers</b> 1 <input type="checkbox"/> Attempt or Solicitation    2 <input type="checkbox"/> Conspiracy	<b>16 <input type="checkbox"/> Firearm Used</b>	
	<b>17 Second Most Serious Offense</b>	<b>18 ORS</b>	<b>19 Seriousness Ranking</b>
	<b>20 Offense Modifiers</b> 1 <input type="checkbox"/> Attempt or Solicitation    2 <input type="checkbox"/> Conspiracy	<b>21 <input type="checkbox"/> Firearm Used</b>	
	<b>22 Third Most Serious Offense</b>	<b>23 ORS</b>	<b>24 Seriousness Ranking</b>
<b>25 Offense Modifiers</b> 1 <input type="checkbox"/> Attempt or Solicitation    2 <input type="checkbox"/> Conspiracy		<b>26 <input type="checkbox"/> Firearm Used</b>	
<b>27 <input type="checkbox"/> Supplement attached to report additional current convictions</b>			

HISTORY	<b>28 CRIMINAL HISTORY CLASSIFICATION</b> (CIRCLE)	<b>A   B   C   D   E   F   G   H   I</b>
	<b>Record all prior felony and A-misdemeanor convictions on Criminal History Worksheet and attach.</b>	

GUIDELINE SENTENCE	<b>29 The presumptive guideline sentence for the primary offense is:</b>	
	1 <input type="checkbox"/> A prison term of _____ to _____ months and a post-prison supervision term of _____ months.	2 <input type="checkbox"/> A probationary sentence of _____ months.
	<b>30 Additional current convictions:</b>	
	<b>PRESUMPTIVE RANGE</b>	<b>BASE RANGE</b>
	Second most serious _____ to _____ months	_____ to _____ months
	Third most serious _____ to _____ months	_____ to _____ months

**DISTRIBUTION:**    White    OJJC    Pink    Defense  
                           Green    Court    Goldenrod    DOC  
                           Canary    Prosecutor

01A/Revised 11/99

SUBMIT PROMPTLY TO:  
**OREGON CRIMINAL JUSTICE COMMISSION**  
 Public Service Building, Suite #126  
 255 Capitol Street NE  
 Salem, OR 97301

